



Advisory Neighborhood Commission 1C

P.O. Box 21009, Kalorama Station NW, Washington, DC 20009 - <http://anc1c.org>

May 11, 2015

Mr. Lloyd Jordan
Chair, Board of Zoning Adjustment
441 4th Street, NW Suite 200S
Washington DC 20001

RE BZA 18999 – DCRA Notice of Intent to Revoke Permit B1408491

Dear Chair Jordan

On behalf of ANC1C, I am writing to include for the record ANC1C's support for DCRA's decision in a 5/8/15 DCRA Praeipie stating the Zoning Administrator erred in approving building permit B1408491 and that DCRA has determined to revoke the permit that is the basis for the appeal

Please see attached ANC1C's BZA appeal summary and March 2015 ANC1C minutes (last page) documenting our discussion and a motion, approved on a 6-0 vote, stating the following

"Motion is made that ANC 1C join with neighbors of the 2300 block of Ontario Road NW as party to appeal permit #B1408491 before the Board of Zoning Adjustment."

Sincerely,

Alan Gambrell
Advisory Neighborhood Commission 1C-05 Commissioner
Member, ANC1C Planning, Zoning and Transportation Committee



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representing Adams Morgan

Commissioners:

March 11, 2015

Vacant (1C01)

Hector Huezo (1C02)

Ted Guthrie (1C03)

Gabriela Mossi (1C04)

Alan Gambrell (1C05)

Billy Simpson (1C06)

Wilson Reynolds (1C07)

JonMarc Buffa (1C08)

Mr Lloyd Jordan
Chair, Board of Zoning Adjustment
441 4th Street NW, Suite 200S
Washington, DC 20001

Re Appeal of Permit #B1408491

Dear Chair Jordan,

At a duly noticed public meeting held on March 4, 2015, with a quorum present, ANC1C voted 6-0 to join with neighbors in appealing the issuance of permit #B1408491 for the re-development of 2305-2307 Ontario Road NW. We have authorized any of the members of our Planning, Zoning, and Transportation Committee (Commissioners Buffa, Reynolds, and Gambrell) to represent us before the Board of Zoning Adjustment in this matter.

Sincerely,

Billy Simpson
Chair, Advisory Neighborhood Commission 1C

March 13, 2015

BEFORE THE BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

Re BZA Appeal of permit #B1408491 for the re-development of 2305-2307 Ontario Rd NW

Dear BZA Members

We ask that you appeal permit #B1408491 based on a number of Zoning issues that need to be resolved in order to bring the proposed development into compliance with DC Building and Zoning Code

- DCRA erroneously granted a “parking credit”, even though existing parking was provided at the property, that resulted in the developer being able to build 8 units, rather than the allowable 6 “by right” units
- The permitted project does not properly comply with the stipulations of combining Lots
- The permitted project exceeds both FAR and lot coverage requirements of R-5-B zoning.
- The DC Surveyor's Plat shows roof decks that are required to be omitted from the plans at the request of the DC Structural reviewer
- Furthermore, we believe it violates both the letter and spirit of Title 10 (Comprehensive Plan) and Title 11 (Zoning Regulations) of the D C code.

The undersigned neighbors have drafted the appeal attached and have the unanimous support of the ANC 1C and vast majority of the residents of the Lower Ontario Road Neighborhood

By way of background, the proposed development by 202Development, based in Virginia, will convert two single family houses into a single new building, on a single combined lot, containing 8 units and provide only 3 parking spaces when 4 are required by zoning. A legal parking space is 16' x 9' and the combined lot at 2305-2307 Ontario Road is just shy of 33' wide, meaning 3 legal parking spaces can be accommodated. Additionally code requires that 1 space for every 2 units be provided in the R-5-B zone. The neighbors hoped that the DC permitting process would enforce that the correct number of units (6) and corresponded extensively with zoning officials during the permitting process. Nonetheless, the neighbors were dismayed when a permit was granted for a total of 8 units with only 3 parking spaces, based on the application of parking credit, a concept historically reserved for properties without the ability to provide parking

This plan effectively quadruples the number of units per lot and will:

- Change the character and density of the block dramatically.
- Strain parking availability in an already very constrained location, based on the proximity to 18th Street and given the significant number of single family homes already on the block that do not have an off-street parking option (no alley access to the rear yard or curb cuts).

- Replace 4 trash/recycling bins (for 2 households) with 16 (for 8 households) on a block where trash is picked up in the front because the alley behind is too narrow for public trash removal.
- Drive up prices beyond those of traditional single family homes on the block, apparently based on the assumption that they can be replaced with 4 units each, a trend that will encourage more sales to developers, more chopping up of the row house fabric on Ontario Road, fewer families, tighter parking, and more unsightly trash/recycling bins

202Development has also bought two more houses on the block at 2303 and 2315 Ontario Road NW, and per their website and permit applications in to DC, plans to turn them each into 4-unit buildings, effectively quadrupling the number of units per lot once again, and banking on DCRA granting more inappropriate parking credits To demonstrate the level at which this developer is willing to manipulate the zoning parking requirement, the existing parking pad located at 2315 Ontario has been removed and shrubs have been planted in its place. We speculate that this is an attempt to make a claim that no existing parking was present or available, in order to be granted a parking credit We have strong evidence to the contrary

Since the proposed development was announced in July 2014, we have worked with the Zoning Administrator, Office of Zoning, DCRA, Office of Planning, our current and former Ward 1 council members, and ANC 1C-07 Commissioner Willison Reynolds to closely monitor the permitting process and express our concerns regarding inappropriate development on our block More than half of the residents and homeowners of our block have signed a petition in support of an overlay to our zoning designation that would preserve the row house fabric and neighborhood character of our block. Thus, we have demonstrated ample citizen demand for the ANC's action and leadership on this appeal

We look forward to discussing with you in more detail the nature and facts of this case as we all strive to make Washington DC the best city the country

Sincerely,

The Appellants

ANC 1C

ANC 1C-07 Commissioner Willison Reynolds

Hugo Roell

Eric Blodnikar

Terra Blodnikar

Alia Khan

Please note In addition to the text and vote counts of the official actions taken by the Commission, these minutes may contain summaries of comments that were made and discussions that took place at the meeting Such summaries are not intended to be a verbatim account of the meeting

**Advisory Neighborhood Commission 1C
Adams Morgan
Minutes of March 4, 2015**

I. Call to Order and Introduction of Commissioners

A regularly scheduled meeting of Advisory Neighborhood Commission 1C was held on March 4, 2015 at Mary's Center Chair Simpson called the meeting to order at 7 02 pm Over 70 members of the public attended In attendance were Commissioners Hector Huezo (1C02), Ted Guthrie (1C03), Gabriela Mossi (1C04), Alan Gambrell (1C05), Billy Simpson (1C06), Wilson Reynolds (1C07), and Jon Marc Buffa (1C08)

II Officers' Reports

a. Chair's Report

Chair Simpson noted the upcoming snow and urged residents to take care tomorrow

b Secretary's Report

Secretary Guthrie announced that he will finish the draft minutes for the Special Forum on Lanier Heights Zoning and post them on the ANC 1C website He asked those who attended the forum to review the minutes once posted to see if his record comports with their memory, and to contact him with any differences

Secretary Guthrie moved for approval of the draft minutes for the February 4, 2015 monthly meeting Commissioner Reynolds seconded the motion for approval that then passed by a vote of 5 to 0 (Commissioners Mossi and Buffa had not yet arrived)

c Treasurer's Report

i. Quarterly Report for Q1 of FY2015

Treasurer Gambrell moved to adopt the First Quarter report for fiscal year 2015 Commissioner Guthrie seconded the motion that then passed by a vote of 5 to 0

ii. Clarifications to Grant Guidelines

Chair Simpson made a procedural motion to add to the agenda clarifications to the ANC 1C grant guidelines without the customary two-week's advance notice on the grounds that it would not be adverse to the community to do so Commissioner Reynolds seconded the procedural motion that then passed by a vote of 6 to 0 (Commissioner Buffa had arrived)

Treasurer Gambrell reported that he had noticed inconsistencies in the ANC 1C grant guidelines and moved to approve revised guidelines to correct these inconsistencies Chair Simpson seconded the motion and described the clarifications Commissioners voted to approve the grant guideline revisions by a vote of 6 to 0

III. Commissioner Announcements/Comments

a. Report from Envision Adams Morgan Workshop

Commissioner Huezo reported on the community workshop held with the DC Office of Planning to obtain additional community input on developing a vision for Adams Morgan He urged the community to continue to comment on a framework draft document that will be posted on the

ANC 1C website and through an online survey on the Office of Planning website. He noted that more information on the Adams Morgan Vision Framework could be found on the back table.

b. Upcoming Meeting Agendas for March

- Chair Simpson reported that the times and agendas for ANC 1C Committee meetings were printed on back of this meeting's agenda which was available on the back table.
- Commissioner Huezo announced that there would be two meetings of the Public Services and the Environment Committee in March – Saturday March 21 and Wednesday, March 25 – on modernization of the Marie Reed campus.
- Chair Simpson added that ANC 1C will hold a special forum on Marie Reed modernization at Marie Reed on Wednesday, April 8 at 6pm. He urged members of the public to put their comments in writing and send them to their Commissioners and noted that the design plans are posted on the ANC 1C website. Commissioner Mossi specifically urged parents of school-aged children to attend.
- Commissioner Buffa noted that the agenda for March meeting of the Planning, Zoning, and Transportation Committee would include a proposed development to convert an office building into apartments and a new project that had just been submitted.
- Commissioner Gambrell briefly described the issues involved in the project at 1636 Argonne Place that was being added to the PZT agenda for March.

c. Other Commissioner Announcements

- Commissioner Guthrie announced that fact sheets on DC's new marijuana laws could be found on the back table. He said members of the public could contact him if they wanted an electronic copy of the fact sheets.
- Commissioner Mossi announced that DC Water would be holding water town halls in each Ward this spring to address topics such as water quality, construction projects, water mains, fire hydrants, customer service, and employment opportunities. Commissioner Mossi said the meeting for Ward 1 would be on Tuesday, April 7 and more information could be found at DCwater.com.
- Commissioner Huezo announced that he would be conducting a walk-through of Kalorama Triangle on Saturday, March 14 at 10 am to see what needs to be fixed and, if the weather is good, to pick up trash.
- Commissioner Reynolds reminded everyone to prepare for the pending snow storm.

IV Public Announcements / Comments (2 minutes each)

- Josh Brown, Community Outreach Director for DC Councilmember at-Large Anita Bonds, introduced himself and said he wanted to check in and see how ANC 1C is doing. He also mentioned Councilmember Bond's interest in working on affordable housing issues.
- Ben Case, Ward 1 Community Liaison for Mayor Bowser, reminded everyone of the pending snow storm and urged them to contact him at ben.case@dc.gov or 202-285-9238 if their streets aren't plowed.
- Steve Harloe, Director of Development for Sydel Group Ltd. Announced that the owner of the new Adams Morgan hotel is expected to begin construction in the next week. He said the first step is to demolish the old City Paper building which will take 5 to 6 weeks and he expects the entire project to take 24 months. He also said that project updates will be posted on the hotel's website: www.adamsmorganhistorichotel.com.

- Kristen Barden, Executive Director of the Adams Morgan Partnership BID, said she put pocket guide maps on the back table and people should let her know if they need more for their businesses or visitors. She said the BID is planning its summer concert series for six Saturdays in May and June. She also announced that the movie series will be again held in conjunction with the Marie Reed PTA at the new soccer field on Tuesday evenings in May and early June, but that additional financial support is needed to make that happen.
- A representative of Mary's Center announced that the 3rd annual Taste of Adams Morgan would take place on Tuesday, May 12 from 6 to 9 pm to raise funds for Mary's Center. She left fliers with information on the back table.
- Claudia Barahona, Constituent Services Director for Councilmember Brianne Nadeau, said that she will be coordinating with Ben Case of Mayor Bowser's office to ensure snow is cleared. She urged members of the public to contact her if they needed anything and she urged people to help seniors shovel their sidewalks.
- Benedicte Aubrun announced that ABRA is considering amendments to Title 23 regulations governing pub crawls and that the amendment can be found in the DC register.

V. Scheduled Business

a. Planning, Zoning, and Transportation

i. Rock N Roll Marathon

Chair Simpson introduced Diane Thomas with the Rock n Roll Marathon who advised the public on street closures in Adams Morgan along Calvert Street, Adams Mill Road, and Columbia Road on Saturday, March 14 from 7am to 11am for the race that she said would bring 20,000 runners through 7 of the city's 8 Wards. She said an online map indicates intersections where drivers can exit through the race course.

Commissioner Reynolds asked if cars parked on the course would be towed. Ms. Thomas said cars would not be towed, but drivers would not be able to move their cars either.

A member of public spoke about the difficulty in getting out of the race course and in his experience police did not know where the exit points were. Ms. Thomas said police officers should have copies of the course map and exit points.

Chair Simpson asked if Ms. Thomas wanted a letter of support from the ANC. Commissioner Reynolds moved to send a letter of support. Commissioner Huezco seconded the motion that passed by a vote of 7 to 0 (Commissioner Mossi had arrived).

ii. Meridian International – Concept Design Review

Chair Simpson provided background on a proposed resolution regarding the Meridian International Concept Design that was recommended by the Planning, Zoning, and Transportation Committee at a well-attended meeting in February. As the proposed resolution was coming out of Committee, no second was needed. Chair Simpson noted that, rather than repeat everything that was said at the PZT Committee meeting, the developers would be given a chance to provide an update on their previous presentation, then neighboring condominium associations would be given a chance to present their views, finally, other members of the public who did not have an opportunity to speak at the PZT Committee meeting would be given the chance to do so. Commissioner Mossi added that Commissioners have been reading all the emails sent to them concerning this matter.

Representatives from the development team provided background on a proposed development at the current Meridian International property. They said their plan is to add a new building consisting of residences and a conference center to help provide funds to maintain the existing buildings on the property.

Andrew Altman of Streetscape Urban Partners said their plan was to provide modern facilities at the site. He said they began the process of getting feedback from the community in September, which he said has resulted in constructive dialogue although an agreement has not yet been reached. He said the developers have made a number of changes in the design since September in an attempt to be responsive to neighbors' concerns about height, scale, and design but he argued that 16th Street is a good site for density and a good corridor for apartment buildings.

Shalom Baranes of Shalom Baranes Associates gave an abbreviated version of the presentation from the Planning, Zoning, and Transportation Committee meeting. He said the lot would be treated as a campus consisting of three buildings: the Meridian House, the White-Meyer House, and the proposed new building which he said would be similar to other apartment buildings along the park. He said they took a floor off what was originally planned, so that the proposed height is slightly under what they are permitted to build by zoning regulations and 3 ½ feet higher than the adjacent Envoy building.

Chair Simpson asked if the Commissioners had any questions for the developers. Commissioner Guthrie asked if the changes mentioned were made before the PZT meeting, and the developers said that is correct. Commissioner Huelzo asked what the current proposed height is and Mr. Baranes responded that the height for zoning purposes was 85 feet.

Chair Simpson introduced Carl Schmid of Beekman Place condominium association who summarized previously submitted comments. Mr. Schmid said the scope, heights, and scale of the proposed building are not consistent with the neighborhood. He said the proposed building height is 4 or 5 stories higher than the mansions on the property, it lacks sufficient set back from 16th Street, views would be restricted from the mansions and from the park, and the landscaping would be disturbed. He added that the modern design does not match the beaux arts style of the mansions and, according to historic preservation guidelines, an addition should generally be lower than surrounding buildings. Mr. Schmid concluded that the Beekman Place condominium association strongly supports the resolution recommended by the PZT Committee.

Shalom Baranes clarified that the proposed height of the building is 80 feet rather than 85 feet.

Fred Carter, Board President for 1661 Crescent Place condominium association, also spoke in support of the resolution recommended by the PZT Committee. He described the historic character of Crescent Place which includes structures built from 1912 through 1930 and said that any new building should fit with the other "jewels in the jewel box" of that area. Mr. Carter said the proposed building is too big for the space and requested the Commissioners to adopt the PZT resolution.

Chair Simpson asked those who spoke in opposition to the proposed building at the PZT meeting to stand. Then he asked those who are opposed but did not speak at that meeting to stand. He then said those who wanted to comment would be allowed two minutes each to speak.

A neighbor on the 1600 block of Belmont Street commented that 140 residential units in the proposed building sounded like a lot. He expressed concerns about the increased traffic, parking, trash trucks, catering, and moving vans from the residences and the proposed conference center

Another neighbor on the 1600 block of Belmont expressed concern with traffic, catering trucks, and noise during construction

Neighbors Douglas and Michelle Rathbun said that they are pleased that Shalom Baranes will be working on this project because they admire his work in the city and they hope the proposed new building will fit well with the surroundings. Michelle added that there are several examples along 16th Street that are not what they want to re-create and they want to make sure those mistakes are not repeated on their corner

Another member of the public asked why the building has to be so big. Andrew Altman said they are trying to put more mass on 16th Street and leave it more open along Belmont. He said the height of building along 16th Street is consistent with the Envoy and it fits the scale of the 16th Street corridor, but it allows transition into the neighborhood on both sides. The same person who asked about the size asked why they are planning for 140 units in that space and said it seems the developers are trying to fit in as much as they can. Mr. Baranes said the proposed building is shorter than the Envoy and considerably smaller in terms of square feet. He said it will be one of the smallest apartment buildings in the area and smaller than what zoning allows.

A member of public asked if the developers could work on making the proposed building fit into the neighborhood – to make it beautiful.

Chair Simpson said all the answers may not come out tonight but he hopes the development team will take back everything they hear.

Benedicte Aubrun asked about making the building look nice and gave as an example the addition to the Italian Embassy. She said it is just a matter of how much it will cost.

A member of the public asked Mr. Altman about the campus concept. Mr. Altman said the design will be sensitive to the other buildings on the property, but it is not an expansion of the Meridian property.

Ellen Weiss, a resident of 1661 Crescent Place, said she is impressed with thought and expertise that went into the resolution recommended by the PZT Committee.

John Reynolds of 1661 Crescent Place said the size of the proposed conference center is out of character with the neighborhood. He asked that the developers keep within the center's current scope.

In response to a question about the Historic Preservation Review Board process, Chair Simpson said that Board does not look into issues of use. He said questions about use and traffic will be addressed once the project goes before the Zoning Commission.

Former ANC 1C Commissioner Kathie Boettich, a neighbor who lives on 17th Street, said it is clear that the neighborhood is not pleased with the size of the proposed building, but she said she is pleased that the development team is trying to work with the neighbors

A neighbor from Beekman Place said the proposed building would be 40 feet higher than the White-Meyer Mansion and the proposed rooftop pool is not in keeping with the historic district. He said there are concerns with the sides of the building as well as with the front

Commissioner Buffa asked to see the slide that shows Beekman Place and the berm on that side. Commissioners discussed when matter of right zoning can be trumped by HPRB concerns and stressed the importance of community input during the HPRB process, noting that the Board takes public comments seriously

Commissioner Buffa noted that many people in the room worked hard to provide input to the developers, but that input does not seem to be honored in this project. He said it is important that certain architectural changes are made to make this project comport with the neighborhood, that the goal is to reach a compromise where all are happy with the result, which will require constructive dialogue that meets the needs of the developers, Meridian International, and the community. He urged the Commissioners to pass the resolution recommended by the PZT Committee to present a unified voice before the HPRB

Commissioner Gambrell asked about the plan to have an entrance way on Belmont rather than on 16th Street and whether it comports with historic district guidelines. Chair Simpson moved to add a paragraph to the resolution recommended by the PZT Committee asking HPRB to require the addition of an entrance on 16th Street. Commissioner Buffa seconded the motion

Commissioner Mossi expressed concern with "requiring" the entrance on 16th Street if the District Department of Transportation won't allow it for traffic reasons or if the city is concerned with the trees being taken down to create the entrance. Chair Simpson said the DDOT concern may be vehicular versus pedestrian, and the resolution would only require a pedestrian entrance. Commissioner Buffa said Commissioner Mossi's point is well-taken, but the entrance could be done in the center of the property to save trees. He said the intent is to make a prominent entrance. Commissioner Guthrie said it is reasonable to include the provision in the resolution so HPRB will consider an entrance on 16th Street. He said the goal is to get the issues in front of the Board to ensure they pay attention to all of the problems that they have the power to correct

Commissioner Reynolds said he understands the intent is to have an entrance more befitting size and scale of street, but he questioned whether just requiring the entrance to be central would result in an entrance that is also attractive. Commissioner Gambrell noted that historic guidelines refer to the centrality of entrance ways. Commissioners worked with changing the wording of the provision

The Commissioners then voted 7 to 0 to add the central entrance requirement to the resolution

Chair Simpson suggested that the letter sending this resolution to HPRB state that Commissioner Buffa, Chair of the PZT Committee, or any Commissioner he designates is authorized to represent ANC 1C before the HPRB. There was no opposition and this statement was adopted as a friendly amendment.

Commissioner Huevo thanked everyone who participated in this process and urged them to remain engaged to protect the architectural jewels they have been talking about. He added that Adams Morgan is a necklace of jewels that needs protection and urged the public to be involved in ongoing discussions about the history and beauty of our community including the modernization of Marie Reed. Commissioner Guthrie added that he has never seen Adams Morgan so unified. He said he hopes the team working on this project realizes how hard it is to get this community to agree on anything and that they should take these views seriously.

The Commissioners then voted 7 to 0 to adopt the resolution as amended to (i) require that the height be reduced, (ii) require that the scale and massing be reduced, and (iii) require that the materials be revised and enhanced, and (iv) require that a central entrance be provided on the 16th Street facade.

Resolution Regarding the Proposed Meridian Redevelopment, HPA #15-205

Whereas, the project team for Meridian International Center ("Meridian")/Streetscape Partners ("Streetscape") Project has submitted design plans to HPRB for review of concept, height, and massing of a new residential structure and Meridian conference space proposed for the portion of Meridian International Center's property closest to 16th Street NW (hereinafter "The Project"),

Whereas, the White-Meyer House and the Meridian House properties are jewels designed by renowned architect John Russell Pope, who designed the Jefferson Memorial, the National Gallery of Art (West Building), and the National Archives,

Whereas, the White-Meyer House and Meridian House buildings are listed on the National Register of Historic Places and are listed at the "National level" of significance, and accordingly deserve the highest level of protection by HPRB,

Whereas, the Project is to be located within the Meridian Hill Historic District which is listed in the District of Columbia Inventory of Historic Sites as an historic district;

Whereas, the historic district designation recognizes, and HPRB is legally required to preserve, the special architectural and landscape characteristics of the area,

Whereas, District of Columbia Historic Preservation Guidelines call for compatibility of new construction, with particular attention to setback, alignment with front facades of neighboring buildings, height, width, proportions, rhythm of doors and windows, roof shape, ornamentation, projections, and landscaping,

Whereas, the Meridian Hill Historic District Design Guidelines require that "particular attention should be paid to siting, massing, size, scale and materials",

Whereas, the Meridian Hill Historic District Design Guidelines require that "alterations and new construction [be] designed with extreme sensitivity" and "[t]he mansions and churches of Meridian Hill represent the most significant aspect of the neighborhood's built environment and should be treated with the highest standards of sensitivity and care",

Whereas, the Meridian Hill Historic District Design Guidelines state that. "Meridian Hill Park is the centerpiece of the neighborhood Its physical and visual centrality necessitates that alterations to surrounding buildings take into consideration views to and from this nationally significant urban garden",

Whereas, the Project's proposed scale, massing, and height exceed that of the adjacent residential and historic buildings (Beekman Place, Meridian Crescent, the 17th St row houses, 1661 Crescent Place, White-Meyer House, and Meridian House),

Whereas, this Project must be reviewed in context of the historic district, the two historic buildings, and the grand boulevard that is 16th St,

Whereas, there are significant concerns about the Project regarding the height, total massing, setbacks on all sides of the lot, and elimination of green space and landscaping,

Whereas, the Project's proposed setbacks on Belmont Street are insufficient to preserve the views of White-Meyer House and Meridian House as one enters Belmont Street from 16th Street,

Whereas, there are significant concerns about the Project from neighbors regarding quality-of-life concerns relating to traffic, and other disturbances arising from a significant expansion of conference activity. Though these quality-of-life concerns are expected to be addressed through a zoning process, they also directly related to the massing, scale, and height of the Project that is the subject of HPRB review;

Therefore, it is the view of ANC1C that the Project, as currently proposed, is incompatible with the historic nature and character of the Meridian Hill Historic District, the two historic houses, and the neighborhood, and fails to comply with the Meridian Hill Historic District Design Guidelines,

Therefore, ANC1C calls on HPRB to

I Require that the height be reduced The Project as proposed is taller than all of the adjacent buildings and out of character with the neighboring structures in the Meridian Hill Historic District

ANC1C notes that the heights of the existing buildings in the Meridian Hill Historic District follow the natural downward slope of Meridian Hill. However, the Project, as currently proposed, would be taller than the building up the hill from it (the Envoy), and would then extend that height southward creating a cliff-effect with respect to the next property down the hill from it (Beekman Place) and with the adjacent White-Meyer House. This presents an incongruous transition on 16th St with the rest of the block and breaks the natural downward slope of structures that is a feature of 16th St as it runs towards downtown,

Additionally, there are architectural approaches that can be introduced to reduce the height of the Project, particularly from the ground and from the neighboring and historic structures such as tiering the building rather than having a single heightened box, minimizing and/or modifying the penthouse/mechanical structure to minimize its role in obstructing views and off-setting balance (e.g., by centering its location on the roof, maximizing its setback location, locating certain mechanical structures partially within floors below the roof, use of screening/surface material, and limiting its height), and reducing the height of the building as one moves towards the periphery of the structure

The Project's height should be reduced to maintain views to and from Meridian Hill Park and the historic buildings HPRB should insist that the setbacks be increased, particularly on 16th St and Belmont St., to avoid a "wall" that would block vista views from the Meridian Hill Park's Grand Terrace and preserve the views of the White-Meyer House and Meridian House as one enters Belmont St from 16th Street

A significant reduction in the height of the Project is warranted.

II. Require that the scale and massing be reduced ANC1C notes that the Project, as currently proposed, is not proportional to other neighboring buildings. It is incompatible in character with the components of the historic district, will result in the irretrievable loss of the view of the White-Meyer House and the Meridian House, and generally impairs and intrudes upon the White-Meyer House

Since, the Project is being proposed as an 'addition' to the White Meyer House, the design must be deferential to the historic buildings as well as the historic district. This proposal must be reviewed under a heightened level of scrutiny and the project must mitigate any impacts on both the White-Meyer House and the historic district generally. Notably, the Meridian Hill Historic District Design Guidelines require that "connections should be minimal and preferably reversible, enabling the mansions to retain their freestanding character." The Project encroaches upon the White-Meyer house, eliminates its freestanding character, and is incompatible with its design. It appears the White-Meyer house is being burdened by this 'addition' to help the Streetscape defeat the intent of zoning regulations by contending that there is only one structure on the lot for zoning purposes which would allow them to achieve additional FAR.

III. Require that the materials be revised and enhanced. The current designs indicate the use of six different materials, while other structures in the Historic District use only two or three different materials. This will make the building visually incongruous with its neighbors. The Meridian Hill Historic District Design Guidelines note that "[t]he buildings of Meridian Hill survive largely intact and exhibit a high quality and integrity of design, materials, workmanship, setting and place. The district's buildings should be preserved, and alterations and new construction designed with extreme sensitivity."

IV. Require a clearly defined central entrance on the 16th Street facade The current design provides only a small and visually insignificant entrance at the corner of 16th Street and Belmont Street. It leaves the building feeling separated and aloof from 16th Street. This is in direct contrast to the other large buildings in the Meridian Hill Historic District which have clearly defined central entrances in their primary facades at the same grade as the streets they face. The developers have asserted that DDOT will not permit a vehicular driveway along the 16th Street facade of this building. However, even if that turns out to be the case, a central pedestrian entrance should still be possible. Such an entrance should utilize architectural and landscape hardscape and softscape elements that celebrate and are compatible with the Beaux-Arts classicism that defines 16th Street and Meridian Hill Park.

iii. Moratorium on pop-up developments

Commissioner Reynolds moved to adopt a resolution urging the Mayor and District Council to place a moratorium on the construction of new floor additions to homes in ANC 1C and to create regulations to protect adjacent neighbors from “pop ups” and “pop backs” Commissioner Buffa seconded the motion

Commissioner Reynolds said that a similar resolution was passed by ANC 1A and that Commissioner Kent Boese was present from that Commission Commissioner Buffa spoke in support of the resolution and said the problem stems from developers who care only about a profit and not about the character of the neighborhood Commissioner Mossi echoed the sentiment Commissioner Gambrell thanked Commissioner Reynolds for introducing the resolution and said he has been struck by how this sentiment is emerging across neighborhoods by people who don't want this practice of developers to continue Commissioner Reynolds also thanked Commissioner Gambrell for improving the proposed resolution

Commissioner Guthrie asked about whether the Mayor or City Council could implement a moratorium without going to the Zoning Commission Commissioner Reynolds said that the Mayor has the power to tell the Department of Consumer and Regulatory Affairs to stop issuing permits Commissioner Guthrie asked whether the resolution should also be directed to those responsible for implementing the moratorium Commissioner Reynolds said he had no objection to sending the resolution to a broader audience, but the faster way to take action is for the District Council and the Mayor to issue the moratorium Commissioner Reynolds amended the resolution to add the Zoning Commission as a recipient of the resolution

Commissioner Huezo thanked Commissioner Reynolds for bringing the resolution forward and confirmed that “pop backs” were included as well as “pop ups”

Benedicte Aubrun asked whether the resolution should be sent to Councilmember Nadeau to ask for her support Commissioner Reynolds said she would receive a copy as a member of the District Council Claudia Barahona, Constituent Services Director for Councilmember Brianne Nadeau, said the Councilmember is aware of this issue

A resident who is also an architect said that most of the pop ups could be blocked if DCRA would enforce the code Commissioner Reynolds agreed with the comment and said it will be addressed in the resolution that Commissioner Gambrell was going to bring up following this discussion

Commissioner Boese of ANC 1A commented that the approach of going through the Mayor and District Council was more efficient than going through the Zoning Commission

A member of the public asked about distinguishing multi-family residences from single-family residences Commissioner Reynolds said this resolution does not make that distinction because the intent is to temporarily stop everything or “hit the pause button” for one or two years Commissioner Boese commented that developers could get around that distinction by applying as the owner of the property or applying as an LLC

A member of the public thanked Commissioner Reynolds for introducing the resolution

Commissioners then voted 7 to 0 to pass the resolution

**Resolution In Support of Moratorium on Major Additions to Row Dwellings in
Adams Morgan, ANC 1C**

Whereas Adams Morgan possesses a large number of residences in the R-5-B zoning category,
and

Whereas Adams Morgan possesses a large number of residential family homes not protected by
Historic designation, and

Whereas Adams Morgan has been overwhelmed with developers transitioning family dwellings
into multi-unit dwellings, and

Whereas the proliferation of these maximized conversions have given rise to a new terminology,
such as 'Pop Ups' and 'Pop Backs,' and

Whereas many of these conversions lack compatibility and harmony with the balance of the
community, especially neighboring buildings on the same block, and

Where many of these conversions may be non-compliant with R-5-B zoning regulations that
govern Gross Floor Area (GFA)/FAR, lot occupancy, and building codes, and

Whereas there are many examples of Pop Up and Pop Back construction that have hurt the
property rights of neighboring properties in the form of structural damage, decrease in quality of
life due to loss of light, air and privacy, and harm to property values, and

Whereas all property owners are entitled to equal consideration of their property rights, and

Whereas in December of 2014 ANC 1C did vote to downzone a portion of Lanier Heights from
R-5-B to R-4 in response to repeated complaints against Pop Ups and Pop Backs, and

Whereas the Zoning Commission and District Government are reviewing changes to both the
Zoning Regulations, and

Whereas the District of Columbia does have the power to hold back permits for Pop Ups and Pop
Backs

Whereas the District of Columbia lacks a design review process for review of pop-up and pop-
back construction in row dwelling neighborhoods

THEREFORE BE IT RESOLVED, that ANC 1C does urge the Mayor of the District of
Columbia and the Council of the District of Columbia to take all appropriate action to place a
moratorium on the construction of new floor additions to homes inside the boundaries of ANC
1C, and

Be it Further Resolved, that the Mayor and the Council are requested to work together to create and implement regulations and code changes to insure the continued protection of private property of adjacent neighbors impacted by a Pop Up or Pop Back, and

Be it Further Resolved that ANC 1C urges that this moratorium be kept in place until such time that the following conditions are met

- 1 Zoning Commission Case 14-11 (text Amendment to R-4 Zones) is decided,**
- 2 The Zoning Regulation Review (ZRR) is enacted**
- 3 Properties under historic designation are provided a more robust review process, such as the creation of proposed Conservation Districts**

And Finally Resolved, that the Chair of ANC 1C is authorized to communicate this resolution to the Mayor, the members of the District Council, and the Zoning Commission

Commissioner Gambrell then introduced a resolution to improve DCRA administration of zoning regulations. He explained that the first part of the resolution addresses the perimeter wall method currently used by DCRA for calculating floor area, which allows additional stories to be added to row houses. He said the second part of resolution calls for an administrative review of DCRA itself to improve oversight of permits and plans, compliance monitoring, and implementation of the new Zoning Regulations. Commissioner Gambrell moved for adoption of the resolution. Commissioner Reynolds seconded the motion.

Commissioner Huezo thanked Commissioner Gambrell for bringing these issues to the Commission's attention. He suggested adding an action item to the clause calling for an administrative review. Commissioner Gambrell agreed and added language requiring a report identifying specific changes to be made.

Commissioner Buffa expressed support for the resolution and said it was well-written. Commissioner Reynolds also expressed support for the resolution and asked about the term "porch" in the fourth paragraph. Commissioner Gambrell said there is considerable uncertainty in how "porch" and "balcony" are defined. Commissioner Reynolds suggested adding the word "define" to that clause.

A member of the public asked about the grade plane method to calculate floor area and noted that terrace berms are being eroded – sometimes illegally – on Ontario Road. He said that large patios are added by removing the berm. Commissioner Gambrell said it may depend on whether it creates an entrance, but that the grade plane method is more accurate.

A member of the public asked about porches.

Another member of the public asked if anything can be done about design of pop ups not fitting the character of the neighborhood. Chair Simpson said that can be reviewed only if it is in a historic district, as mentioned in the resolution.

The Commissioners then voted to adopt the resolution as amended by a vote of 7 to 0.

ANC1C Resolution to Direct Improvements in DCRA Administration of Zoning Regulations

Whereas, single family row house dwellings in Adams Morgan located in the R-5-B zone are being converted into multi-unit dwellings that are being enlarged to accommodate additional Gross Floor Area (GFA), and

Whereas, neighborhoods in the R-5-B zones that are not in registered historic districts are not afforded protections provided by architectural review under the Historic Preservation Office (HPO) guidelines, and

Whereas, these conversions (so-called pop-ups), to the extent they add additional floors and lot coverage, typically lack compatibility and are uncharacteristic to the existing building height and massing, creating an appearance that is visually incongruous to abutting buildings and the historic streetscape as a whole, and

Whereas, some conversions (both completed and planned) may be non-compliant with R-5-B zoning regulations due to DCRA and developer actions that include: 1) GFA/Floor Area Ratio (FAR) calculations that designate lower level square footage as cellar space in order to exclude square footage from GFA and FAR calculations, 2) failure to define existing porch and balcony square footage in lot occupancy calculations; 3) building plans that contain calculation errors, 4) plans that contain potential violations of specific building code requirements for additional floors in terms of, for example, means of egress and structural building requirements, and 5) interpretation of parking requirements that result in sub-standard parking spaces in terms of number of spaces and space size, and

Whereas, there are examples of row house dwelling conversions that adversely impact the property rights of abutting properties, resulting in structural damage, a decrease in quality of life issues (e.g., loss of light, air and privacy), and a deleterious impact on abutters' property values, and

Whereas, all property owners are entitled to equal consideration of their property rights, and

Whereas, DCRA has two options for calculating the lower level square footage for inclusion in GFA and FAR but opts to use—almost exclusively— what DCRA characterizes as the “perimeter wall method” when making these calculations for attached row house dwellings, which results in a biased exclusion of lower level square footage from GFA and FAR calculations, and

Whereas the arbitrary use of the perimeter wall method for row houses results in an undercount of GFA and FAR, allowing for additional stories previously not developable under traditional methods, thus inflating the Floor Area Ratio (FAR) beyond Title 11 limits, and

Whereas, DCRA rarely uses the grade plane method to determine row house lower level square footage as basement or cellar, even though this methodology is currently an available option for use by DCRA, and

Whereas, the grade plane method is a more accurate methodology than the perimeter wall method for determining the basement versus cellar designation for row houses, is endorsed as such by the International Building Code, and is designated by the draft ZRR as the appropriate methodology for attached buildings, and

Whereas, the Mayor and/or the Council of the District of Columbia may have the authority to direct DCRA to make exclusive use of the grade plane method for attached row dwellings when defining lower level square footage as basement or cellar for purposes of assessing and issuing building permits in compliance with zoning regulations, and

Whereas, a review of DCRA's administration of zoning regulations for the purposes of improving its performance can be achieved through a comprehensive review and plans for enhancement of current operations

Therefore Be It Resolved, that ANC 1C calls upon the Mayor of the District of Columbia, the Council of the District of Columbia and the Zoning Commission to utilize their defined authority to issue an administrative directive for DCRA to immediately stop using the perimeter wall method to calculate lower level GFA/FAR for row house dwellings and to instead use the grade plane method

Be it Further Resolved, that ANC 1C calls upon the Mayor of the District of Columbia, the Council of the District of Columbia and the Zoning Commission to conduct an administrative review of DCRA operations in terms of 1) oversight of building permit assessments, 2) review of the accuracy of building plans and their compliance with building codes, 3) monitoring of permitted projects for compliance, 4) and implementation of new Zoning Regulations Review provisions currently under review, using the results to prepare a report within 120 days, whereby such report identifies specific and tangible changes that may be made in DCRA operations

And Finally Resolved, that the Chair of ANC 1C shall be authorized to communicate this resolution to the Mayor, the Director and General Counsel of DCRA, the Zoning Administrator, members of the District Council and the Zoning Commission

iv. BZA Appeal for 2305-2307 Ontario Road NW

Commissioner Reynolds made a procedural motion to add the Board of Zoning Appeal for 2305-2307 Ontario Road to the agenda without the usual two-week's advance notice on the grounds that it would not be adverse to the community to do so. Commissioner Huezo seconded the procedural motion that passed by a vote of 7 to 0.

Commissioner Reynolds moved a resolution that ANC 1C join with neighbors of the 2300 block of Ontario Road NW to appeal Permit #B1408491 before the Board of Zoning Adjustment. Commissioner Mossi seconded the motion.

Commissioner Reynolds introduced neighbors who are preparing this appeal to BZA. Hugo Roell said the developer of the site is converting two row houses into an 8 or 10 unit building. Mr. Roell said he and other neighbors wrote to Matt Le Grant, Zoning Administrator for DCRA, in July, but never got an answer. The neighbors believe a parking credit was erroneously granted that allowed the developer to build additional units. Mr. Roell also said that BZA does not inspect these buildings properly.

Commissioner Guthrie asked about what the ANC's responsibility would be in the appeal. Commissioner Reynolds said right now it is just to sign paperwork. A neighbor explained that there is a time constraint since an appeal must be filed within a certain time frame with respect to the administrative decision.

Chair Simpson suggested authorizing Commissioner Reynolds to represent ANC 1C in this matter. Commissioner Reynolds suggested extending the authorization to any PZT member.

Former Commissioner Boettrich suggested Commissioners walk the property to see the gaping hole there. Another neighbor offered to provide a list of the names of neighbors in support of the appeal.

Commissioners then voted to approve the resolution by a vote of 6 to 0 (Commissioner Mossi had left the room).

Motion is made that ANC 1C join with neighbors of the 2300 block of Ontario Road NW as party to appeal permit #B1408491 before the Board of Zoning Adjustment.

VI. Adjournment

Commissioner Buffa moved to adjourn at 10:05 pm. Commissioner Huezo seconded the motion which passed unanimously.