

June 21, 2018

Via IZIS

Anthony Hood, Chairman
District of Columbia Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

Re: Zoning Commission Case No. 15-13: Modification of Consequence of the Approved Planned Unit Development (“PUD”) and Zoning Map Amendment for the Property Located at 1309 E Street SE (Square 1043, Lot 168) (“Property”)

Dear Chairman Hood and Members of the Commission:

1309 E Street LLC (the “Applicant”)¹, hereby requests a modification (Modification of Consequence) of Order No. 15-13 (the “Order”). The Order approved a multi-family residential project. An application form and an agent authorization letter are attached as Exhibit A. This Modification of Consequence will allow the Applicant to utilize an alternate brick selection for portions of the façade other than those approved in Exhibits 47B1-47B6 in the case record. The revised selections will be of the same quality and craftsmanship as previously approved and will slightly alter the color scheme of the façade.

A. Background

On June 2, 2015, Watkins Alley, LLC (the “Applicant”), filed an application requesting a consolidated approval of a PUD and related Zoning Map amendment for Square 1043, Lots 142, 849-851, and 859.² These properties were generally bound by the 1300 block of E Street, SE to the north, single family rowhouses along the 500 block of 13th Street to the west, Frager’s Hardware store to the east, and the

¹ The applicant in the Zoning Commission case was identified on the application form as Watkins Alley, LLC, and the application was signed by 1323 L Street SE LLC, which was then the actual owner of the subject property. Applicant has since acquired the subject property, but Applicant and Watkins Alley, LLC are affiliates of the same developer.

² Except for Lot 859, all of these lots subsequently have been subdivided into one record lot, Lot 168.

alley system now known as Watkins Alley to the south.³ The property consists of approximately 30,067 square feet of land area and was the site of existing autobody shop, automobile repair parking lot, and a warehouse for food truck storage.

Pursuant to the Order, the Zoning Commission granted approval of the PUD and Zoning Map amendment from the C-M-1 Zone District to R-5-B. (the “Project”). The Project includes 44 residential units and a total of approximately 87,703 SF, an FAR of 2.92. A copy of the Order is attached hereto as Exhibit B.

The Applicant now requests to modify certain aspects of the Project in order to improve the building’s integration with the broader neighborhood architectural context, enhance the architecture of the building façade, and ensure the marketability of the building.

B. Modification Request and Applicant’s Satisfaction of the Standards for Approving a Modification of Consequence

Condition No. A1 of the Order require that the Project comply with Exhibits 47B1-47B6 in the record, which includes exhibits regarding the selections for brick materials. Subtitle Z § 703 of the 2016 Zoning Regulations establishes the standards and requirements for approval of a Modification of Consequence, without a public hearing. Section 703.4 notes that examples of Modifications of Consequence:

[i]nclude, but are not limited to, a proposed change to a condition in the final order, a change in position on an issue discussed by the Commission that affected its decision, or a **redesign or relocation of architectural elements** and open spaces from the final design approved by the Commission. (emphasis added in bold).

The modifications proposed in this application pertains to the change in selection of one of the masonry architectural elements. These proposed modifications are explained in more detail below and are depicted in the illustrations attached as Exhibit C (the “Plans”).

The Applicant seeks to revise the brick selection for portions of the rear, alley-facing facade with an alternate color in order to create a façade that is more contextual with adjacent rowhouses and to increase the marketability of the project. The originally approved Project called for a two-tone brick scheme on portions of the rear façade. The original brick specifications were for General Shale “Fort McHenry” and “Mesa Verde” modular brick. The proposed change to the Project would substitute the two original selections for a single brick type, General Shale “Nottingham Tudor.” The revised selection will create a more historically and

³ The alley was named pursuant to D.C. Act 22-329.

architecturally pleasing palate for the façade than the red and tan bricks originally selected. The pattern and detailing of the brick will remain unchanged.

This change from the original plans does not impair, and in fact enhances, the intent of the original Project and will the quality and aesthetic of the facade. The proposed change will benefit the Project by improving the character and fit of the façade within the immediate neighborhood context.

C. Service on Party

The only party in Case No. 15-13 was ANC 6B. Therefore, ANC 6B is being served with this application pursuant to Subtitle Z § 703.13.

D. Conclusion

The proposed modifications are consistent with the Zoning Commission's previous PUD approval. The revised selection is of the same quality of the original selections, and is in line with the Commission's previously expressed desire that the Project utilize brick selections that mirrored the adjacent rowhomes. Given the nature of the modifications proposed, use of the Modification of Consequence process outlined in Subtitle Z § 703 is appropriate for this application. All other conditions of the Order will remain as approved.

Please feel free to contact the undersigned if you have any questions or comments regarding this consent calendar modification application.

Respectfully Submitted,

/s/ _____

Cary R. Kadlecek

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 21, 2018, copies of the attached request for a Modification of Consequence and attachments were delivered via email to the following:

Elisa Vitale
D.C. Office of Planning
elisa.vitale@dc.gov

Advisory Neighborhood Commission 6B
6B@anc.dc.gov

_____/s/_____
Cary Kadlecek