



ADVISORY NEIGHBORHOOD COMMISSION 6B PLANNING AND ZONING COMMITTEE

Virtual Meeting

June 1, 2021, 7:00 p.m.

Commissioners: Samolyk, Sroufe, Ready, Oldenburg, Holtzman, Holman (chair), Ryder, Wright, Horn

Resident Members: Friedman, Dierlam, Jarboe, Danks, Ryan, Garry

1. BZA 19616A: 818 Potomac Ave SE [6B04]

Applicant: Thomas Jefferson Real Estate, LLC **Owner:** Julio Murillo **Attorney:** Cary Kadlecek **Hearing**

Date: June 30

Project: *Modification of Significance* for order 19616 to change the use of the building to short-term rentals and new *special exceptions* to the loading requirements and bike room shows for an already constructed 49-unit residential building in the NC-6 zone.

IZIS: https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=19616A

Dropbox: https://www.dropbox.com/sh/c43dad0zgc0th0j/AADp6He_WvXzvR3Pk_HwolHNa?dl=0

The committee had a very long discussion with the attorney Cary Kadlecek and owner Julio Murillo regarding the need for special exception. The property owner contended that leasing the building would be difficult and has signed a lease with Sonder, a company that is sort of like AirBnB. Commissioner Oldenburg and Resident Member Jarboe discussed the history of Lower 8th and the zoning rationale for the NC-6 zone including the desire for a boutique hotel in the zone. Commissioner Oldenburg and Commissioner Holman had met with the applicant earlier in the month to discuss possible conditions to mitigate the impacts of the no loading zone as well as the change of use. Regarding the loading berth special exception, the applicant agreed to prohibit commercial use to prevent any regular loading uses and the committee generally felt that acceptable to mitigate the impacts of the special exception. The second condition discussed related to a time limit for the special exception. There was lots of discussion ranging from no time limit needed to a strict 5-year term that requires returning the BZA. The committee discussed options related to this and landed on a 5-year term that would not require the BZA to renew unless ANC 6B (or successor ANC) requests the Board to review the case. The applicant is waiting to hear from the Office of Attorney General on the validity of this plan. If it's not possible, we would need to discuss the need to require a 5-year term that would require BZA re-review for our support. The opposition to the motion focused on removing residential units and concentrating short-term rentals in one neighborhood with a 32-unit Sonder next door.

Yes: Ready, Oldenburg, Holtzman, Holman, Ryder, Wright, Friedman, Ryan, Garry, Danks

No: Samolyk, Horn, Sroufe, Dierlam

Abstain: Jarboe

Motion [Oldenburg/Ready]. Passes 9-4-1. Recommend ANC 6B support the application conditional on a requirement of no ancillary use that would generate a loading need as well as supporting the 5-year provision that would require returning the BZA if there were a resolution from ANC 6B or successor ANC requesting the board to hear the case.

2. BZA 20465: 13 7th Street SE [6B02]

Applicant: Patrick O'Rourke

Architect: Kim Jones

Hearing Date: June 23, 2021



Project: Special Exception to construct a rear addition to existing two-story building (65.5% Current, 60% by-right, 69.8% proposed)

The architect Kim Jones and application Patrick O'Rourke presented a plan to add a one-story screen porch in an existing dog-leg that would bring the lot occupancy up to 70%. The committee found the project a good use of space and noted support from the impacted neighbor sharing the dogleg.

Motion [Sroufe/Samolyk] passes unanimously. Support application and put on consent agenda.

3. HPA 21-361:241 11th St SE [6B05]

Applicant: Eric Teran, Eustilis Architecture **Owner:** Karen and John Hayes **Hearing Date:** June 24 of July 1

Project: Concept Two-story rear addition. Raze existing one-story garage and build new two-story accessory building.

HPO Box: <https://app.box.com/s/dhn9muwq7e6fgor5v5v40hn1w7yanfma/folder/137991513111>

Dropbox: <https://www.dropbox.com/sh/61suyiezg4qe6k2/AACg2P9nsMAC0RZvOvzpbWca?dl=0>

Committee Notes: *This is on the same alley as 232 10th Street SE.* **Update: Neighbor letters in support**

The committee heard from the architect and owner regarding a two story accessory building and rear cellar addition. The committee discussion touched on the tree preservations process and well as any potential zoning issues. A neighbor across the alley spoke in opposition to the project as the first two-story accessory building on the alley, but the committee still found the project was consistent with the regulations and guidelines and fits an ongoing pattern of alley development in the Capitol Hill Historic District.

Motion [Holtzman/Sroufe] passes unanimously. Support application and put on consent agenda.

4. HPA 21-369: 515 5th St SE [6B03]

Applicant: Mellissa Boyette, Old City Design Studio **Owner:** Cory and Beth Johnson **Hearing Date:** June 24 or July 1

Project: Concept Rear 2-story addition to existing 2-story semi-detached building

The architect presented plans for a rear two-story addition removing an existing one-story addition to a wood clad building. The house is separated from the neighbor to the north by six feet, which makes it narrowly visible from the street. The neighbor to the north has submitted a letter in support. The addition will have punched windows that mimic the historic building. The neighbor to the south is an out-of-town landlord and has been in recent touch with the property owner but has not opposed or supported the project.

Motion [Ready/Wright] passes unanimously. Support application and put on consent agenda.

5. BZA 20486 and HPA 21-363: 647 A St SE [6B02]

Applicant: Tracey and David Cronlund **Architect:** Jennifer Fowler **Hearing Date:** June 30

Project: Concept Review and Special Exception Two-story rear addition and dogleg infill for lot occupancy (50.3% current, 60% by right, 69.9% proposed)

Architect Jennifer Fowler presented plans. The rear addition goes 6 feet past the neighbor to the north and 8



feet past the neighbor to the south. The property is on a uniquely small property for the row, which narrows at the end an alley off Brown's Court. The square goes not have a consistent rhythm of doglegs. Letter of support from both adjacent neighbors.

Motion [Sroufe/Holtzman] passes unanimously. Support application and put on consent agenda.

6. HPA 21-375: 733 8th St SE [6B03]

Applicant: Brian Adams, Dowel-8th Street II LLC **Architect:** Ronald Schneck Jr **Hearing Date:** June 24 or July 1
Project: *Concept Review* Addition to existing two-story with cellar non-contributing building with cellar to a four-story building with cellar and penthouse. Residential use with potential ground floor retail.

The Committee had a long discussion with the architect and property owner's representative here, about plans to completely reskin and add floors to a non-contributing building on Barracks Row. The proposal is to build an all residential building on this block. The rooftop addition would be visible from the street as it's not a contributing building. Discussions focused on use, construction, zoning, and other non-historic issues. Focus on the matters before HPRB, the committee had two substantive comments. One, even if the building is all residential, the first floor should read as retail. Second, the cornice needs refinement and detailing to add interest to the front façade. The applicant is meeting with the adjacent property owner this week to address some of the issues related to the project which mostly focus on non-historic issues. The committee decided not to take a motion but hopes that the applicant, adjacent property owners, and SMD commissioner to work to an understanding on the construction issues and for committee member to followup with any further comments related to the design of the building.

No Motion

7. HPA 21-324: 900 South Carolina Ave SE [6B05]

Applicant/Owner: Scott Patterson and Patrick Tangney **Hearing Date:** June 24 or July 1
Project: *Concept Review* Extension renovations to all visible façades including removal of storefront bays, window alterations, height alterations, and garage changes

The architect and property owner, Scott Patterson, presented plans for extensive renovations to this 1800's corner store to turn from the existing arts use to residential. There are a series of visible additions on the rear of the building from various time periods as well as a garage. The applicant is proposing to remove the 1930's show windows and there is disagreement on the committee on whether to support this or not. There continues to be discussion related to the materiality of the rear addition. The committee did not take a vote as there was a need for further refinement of the comments that would be germane to HPRB review.

No motion taken

8. Potential Appeal of Building Permit B2103902, 1323 E Street SE, Proposed DoorDash DashMart [6B06]

Property Lessee: Josh Neergaard, Door Dash **Property Owner:** John Weintraub

Josh Neergaard of DoorDash presented plans to use the old temporary Frager's space on E Street SE as a



warehouse and distribution center for a DashMart convenience store, which is a service where folks can order convenience store items that will be picked up by contractors for delivery. There are expectations for 150 to 300 delivery pickups per day, the majority of which will be by cars (some will be by bike or individuals may also pick up directly). The plan would be to use concrete front yard for loading and parking. DoorDash said they would be presenting operational plans to ANC to ensure the loading and parking only occurs in legal manners, including limiting the size of trucks, idling, etc.

Commissioner Holman and three neighbors presented the issues of the building, being set back approximately 26 feet from the property line. There is no way to provide legal parking or loading spots because of the addition of the ADA ramp at the front. The zoning issues are myriad here and devolve quickly into whether this is a change or expansion of use. Commissioner Holman presented zoning regulations that he believes require a loading berth to be required, because of an expansion of use within a building (Frager's C of O was only for 4,000 square feet) and change of use (from retail to wholesale and storage). Further, the removal of the required parking when Frager's was occupying the space needs to be provided. Commissioner Holman presented an outline of an appeal of the underlying building permit and eventual Certificate of Occupancy for DoorDash here. The permit was issued on May 5 and the appeal must be filed within 60 days.

Commissioner Holman also noted that he has asked DCRA's Zoning Administrator's Office to review the application and revoke the permit administratively. As of Thursday, June 3 the ZA's office confirmed they are reviewing the application but has not made a decision on the request to revoke the permit.

Motion [Holman/Horn] Appeal Building Permit B2103902 and any subsequent CofO or revised permit noting that the applicant is not providing required parking spaces or loading berth and Consent. Passes unanimously