



Advisory Neighborhood Commission 1C

PO Box 21009, NW, Washington, DC 20009

www.anc1c.org

Representative Adams Moran

Commissioners:

Amir Irani (1C01)

May 7, 2018

Hector Huevo (1C02)

Fred Hill, Chairman

Ted Guthrie (1C03)

Board of Zoning Adjustment

A. Tianna Scozzaro (1C04)

441 4th Street, N.W., Suite 200-S

Ryan Strom (1C05)

Washington, D.C. 20001

Brendan Reardon (1C06)

RE: ANC1C BZA Appeal – 1795 Lanier Place NW

Wilson Reynolds (1C07)

Amanda Fox Perry (1C08)

Board of Zoning Adjustment:

At a duly-noticed public meeting held on Wednesday, May 2, 2018, with a quorum present, Advisory Neighborhood Commission 1C (ANC 1C) passed a resolution involving 1795 Lanier Place NW by a vote of 6-0-0.

ANC 1C respectfully submits the attached resolution authorizing ANC 1C to file a BZA appeal for the permit issued on 1795 Lanier Place NW.

Sincerely,

Hector Huevo, Esq.
Chair, ANC 1C

ANC1C Resolution
Zoning Administrator Letter and/or BZA Appeal of Permit for 1795 Lanier Place NW
May 2, 2018

Whereas, ZR-16 DC zoning regulations include Subtitle C, Chapter 6, Green Area Ratio (GAR), which define GAR as “the ratio of the weighted value of landscape elements to land area” (ZR-16 Subtitle C, 600.1) and which are intended to set “integrated environmental requirements for landscape elements and site design that contribute to the reduction of storm water runoff, the improvement of air quality, and the mitigation of the urban heat island effect.” (ZR-16 Subtitle C, 600.2)

Whereas, review of GAR requirements is part of the zoning and permit issuance. GAR is conducted by the DC. Department of Energy and Environment, which provides guidance to permit applicants in the form of a GAR Guidebook (<https://doee.dc.gov/service/green-area-ratio-overview>).

Whereas, 1795 Lanier Place, NW was issued B1804901 on March 27, 2018, a construction alternation permit to undertake the following work:

EXPEDITION/VELOCITY UNDERPINNING, ADDITION, ALTERATION AND REPAIR OF EXISTING ONE STORY MASONRY STRUCTURE INTO A 4-STORY PLUS CELLAR 5-UNIT CONDOMINIUM

Whereas B1804901 was issued under a new DCRA program called Velocity Service and Expedition Service: optional fast-track permit plan services that DCRA offers, for additional application fees, in order to speed up the review and issuance of a permit, often within one day (<https://dcra.dc.gov/velocity-program>). The fees are:

Velocity: \$50,000 (for <50,000 square feet, SF)

Expedition: \$5,000 1st plan review session and \$2,500 for each subsequent session (for <10,000 SF)

Whereas, DCRA states that “[w]hile the speed of plan review is a major benefit, DCRA remains focused on compliance. <https://dcra.dc.gov/velocity-program>

Whereas, neighbors were only able to gain access to GAR plans for B1804901 on April 19, 2018 through Councilmember Nadeau’s office. GAR plans contain the following alleged errors that result in an inflated GAR score approximately double what should be achievable under landscape planting standards as a result of an unsustainable and unrealistic planting plan.

Title 11 Subtitle F-307.1 requires a Green Area Ratio of 0.40. The plans were approved with a GAR score of 0.414, reached by adding 534 SF (0.219) of pervious area and a landscape planting credit of 560.4 SF (0.231). The plantings credit is increased by the size and number of plants used to reduce storm water runoff. To reach the required GAR score, 152 dwarf shrubs (*Ilex verticillata* or Red Sprite Winterberry) are shown in the 534 SF of green area stated be spaced at about 20” on-center (o.c.). The plantings credit is artificially increased 25% to 40% by submission of an infeasible planting plan that relies on using more plants than are able to thrive in that amount of land. To explain:

- Red Sprites mature to a size of 3-5’ and, as such, are recommended to be spaced 36”, 48” or even 60” depending on the desired effect; 36” is suggested when planted as a mass or hedge but no less than 24” o.c.
- The plantings are packed in rows and not shown as a “quincunx” pattern, which is typically used when planting masses of similar plantings to avoid the look of rows. With this pattern, root masses are maximized for space efficiency and, no matter where you stand (oblique view or straight-on), the arrangement looks evenly arranged and ordered.
- The proposed spacing of 20” o.c. when drawn to scale in the proper pattern reduces the plant count about 20% of the 152 listed and the GAR score is reduced to 0.38.
- When spaced even at 30” o.c. (less than the recommended 36”), the plant count is further reduced to 72-75 and reduces the GAR score further to 0.32.

Therefore, be it resolved, that ANC1C authorizes writing a letter citing the problem to the Zoning Administrator to request a re-review and if necessary, filing of a Board of Zoning Adjustment (BZA) appeal of B1804901 and its GAR calculation, along with any subsequent and clear zoning violations identified in the course of a review of FOIA submitted plans associated with B1804901.

Furthermore, be it resolved that filing and representation may be carried out by any Commissioner on ANC 1C and expert designees, including Alan Gambrell and Guillermo Rueda.