

**MEMORANDUM**

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**TO:** District of Columbia Board of Zoning Adjustment

**FROM:**  Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

**DATE:** February 8, 2011

**SUBJECT:** **BZA 18167 - Modification to BZA Application 17431 – King’s Creek**  
**2329 & 2335 Champlain Street, NW (Square 2563, Lots 103 & 816)**

**I. RECOMMENDATION**

The Office of Planning recommends approval of the requested modification by King’s Creek, LLC (Applicant) to BZA Orders 17431 and 17431-A to allow interior and exterior changes to the approved plans and an increase in the number of dwelling units from 22 to 31. The proposal meets the requirement of Section 3129.7 as the modifications do not change the material facts on which the variances and special exception were granted and outlined in BZA Orders 17431 and 17431-A. The property is in the RC (Reed Cooke Overlay) R-5-B districts.

**II. BACKGROUND**

1. BZA Order 17431 was approved on May 2, 2006 to allow the redevelopment of the property to accommodate 22 condominium units. The Order approved:
  - Special Exception under §1404 to allow an increase in height from 40 feet to 50-feet in the Reed Cooke Overlay;
  - Variance from §§ 2001.3 to allow an addition to a nonconforming structure;
  - Variance from §402 to allow an increase in FAR from 1.8 to 2.66 (the existing building has a 1.9 FAR);
  - Variance from §402 to increase the lot occupancy from 60% to 92.8%; and
  - Variance from §406 from the required 10 ft minimum court to approximately 4 feet.
2. BZA Order 17431-A was approved on November 18, 2008 to allow minor modifications to the approved plans. The Applicant submitted that due to the downturn in the residential condominium market they would be unable to market the units as approved. To enable the units to be more marketable and suitable for the rental market, modification to the units were required. These modifications included:
  - Reduction in the size and configuration of the units;
  - Elimination of the penthouses for the 4<sup>th</sup> floor units and use of the space for resident’s lounge, fitness room, restrooms and access for all residents;
  - Reduction in the area of the former penthouse by 400 square feet; and
  - Accommodation of mechanical equipment within each unit.

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### III. PROPOSED MODIFICATIONS

The applicant proposes internal and external modifications to the plans approved under BZA Orders 17431 and 17431-A. These modifications include:

- Increase the number of dwelling units from 22 to 31 condominium units;
- Design modifications to the interior and exterior façade of the building;
- Reduction in the lot occupancy from 92.8% to 88.22% on the 1<sup>st</sup> and 2<sup>nd</sup> floors;
- Elimination of projections from the public space; along Champlain Street; and
- Reconfiguration of the parking garage resulting in a reduction from 21 spaces to 20 spaces.

### IV. OP ANALYSIS OF THE MODIFICATIONS

The applicant states that due to the downturn in the housing market and increased construction cost, they would be unable to successfully build and market the approved units. Upon further analysis of the market, they have concluded that smaller, affordable condominium units would be more appropriate and thus the request. The proposed changes would not increase any of the approved variances or the special exception.

The property consists of two lots, Lot 103 which has a two-story building which would be retained with a 2 floors added and the development of Lot 816 would be an addition to the existing building. The proposal calls for a reduction in the lot occupancy of the 1<sup>st</sup> and 2<sup>nd</sup> floors from 92.8% to 88.22% which is due to a reduction in the footprint of the addition on Lot 816 and the elimination of a formerly proposed addition to the rear of the existing building.

In order to minimize construction cost and meet building code requirements, the applicant has reconfigured and simplified the façade treatments of the building and has eliminated many of the projecting bays and balconies. Further, to accommodate the increased number of units and to provide a sufficient number of parking spaces, the building's core and interior configuration have been modified.

The applicant proposes a reduction in parking spaces from 21 to 20 spaces. BZA Order 17431 ratified that the property has a credit of 25 parking spaces but 21 spaces have been provided. With the increase in units, 16 parking spaces are required. However, with the reconfiguration of the parking garage space the applicant is providing 20 spaces, a reduction of one space. This reduction would not adversely affect the neighborhood streets as there are several Metrobus lines in the vicinity of the site as well as a parking garage immediately to the west of the property.

The table below summarizes the requirements that would change due to the proposed modifications.

| RC/R-5-B Zone | Required/Allowed | Approved                                                                              | Proposal                                                                               | Deviation |
|---------------|------------------|---------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------|
| Lot Occupancy | 60%              | 92.8% for 1 <sup>st</sup> and 2 <sup>nd</sup> floors<br>60% for upper floor additions | 88.22% for 1 <sup>st</sup> and 2 <sup>nd</sup> floors<br>60% for upper floor additions | N/A       |
| Parking       | 16 spaces        | 17 +4 tandem = 21spaces                                                               | 18+ 2 tandem = 20 spaces                                                               | N/A       |

**It has been over four years since the approval for the redevelopment of the site was granted. However, progress has been hampered by changes in the residential market and construction cost. The proposed modifications would make the redevelopment of the site more viable. The redevelopment of the property would also enhance the street as the buildings are now boarded up. The proposed modifications would not increase any of the approved variances and special exception and therefore OP recommends approval.**

**JLS/Staff: Maxine Brown-Roberts**