

STUDIOTWENTYSEVENARCHITECTURE

Applicant The Holy Comforter St. Cyprian Community Action Group (CAG)
Representative Todd Ray, AIA, (Studio 27 Architecture)
Date 06.13.11 (Revised 09/12/11)
Project Address 124 15th Street SE, Washington DC 20003
Square 1072, Lot 84, 800, 48

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Special Exception Sought: Per §2116.5 a request for Special Exception to permit the Location of Parking Spaces to be on a lot separated by an alley from the lot upon which the building or structure is located

INTRODUCTION. The Holy Comforter St. Cyprian Community Action Group (CAG) Howard J. Gordon Building will be located on Lot 84 in Square 1072, in the C-2-A Zone. The building proposed for the property will be a Community Service Use, as that term is defined in the Zoning Regulations, and will be a matter of right use in that zone. The R-4 zone boundary crosses the southeast corner of the property line. However, the building will not occupy any of the site zoned R-4. The building will measure 12,018 sq. ft. of gross floor area, and therefore six parking spaces are required. There is space for only one conforming parking space on Lot 84. The applicant owns two other lots in the square. Both are unimproved alley lots. The applicant proposes to locate the other five required parking spaces on Lot 800. Special exception relief under Section 2116.5 is necessary in order to locate those five spaces on a lot other than Lot 84.

BACKGROUND

The Main Property, Lot 84, Square 1072

The existing lot was defined and the previously-existing structure was built prior to the implementation of the current zoning regulations; as a result the prior building was not provided with the requisite number of parking spaces on site for its previous commercial activities.

In 2008, while undergoing renovation for the currently projected use as a Community Service Center, the then-existing pre-1958 building suffered a structural collapse. After extensive investigation and related litigation the Community Action Group resumed development of the project for the same community service center use that had been approved prior to the collapse. The remains of the pre-1958 building were deemed structurally unsound to employ in any way going forward, yet the program for the building requires the same amount of space as the pre-1958 structure. Had this structure not collapsed the parking requirement for this use would not have been required due to the age of the building in keeping with §2100.6 related to structures existing before May 12, 1958. This is in keeping with the building permit issued in 2008 where all renovation and addition were approved without requiring supplemental parking. The collapse and resulting razing of the building has resulted in this request for special exception.

The Community Action Group will base their administrative offices for a maximum of 12 employees and volunteers on the second floor of the proposed building, while the ground floor will be used for purposes of assembly of constituency organizations for meetings and events.

The social services provided by the Community Action Group are geared towards local area residents, many of whom live within easy walking distance of the proposed facility, and the neighborhood has ample public transportation for those who do not. Furthermore, many of the participants in Community Action Group programs do not own a car. Under these circumstances, the usage as proposed will not cause significant parking load on the neighboring streets and the available space already existing in the ancillary alley lots will be more than sufficient for employees, volunteers, and others.

The Community Action Group social services facility at 124 15th Street SE is four blocks from the Stadium Armory Metrorail Station and 8 blocks from the Eastern Market Metrorail Station. Additionally the E32, B2, and 96 Metrobus lines all pass within close proximity. Given the above fact that the Community Action Group are geared towards local area residents, many of the clientele served will be from within walking distance to the center.

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The existing lot dimensions are 94'-4" fronting 15th Street SE, and 84' along the Public Alley. The south of the lot shares an 80ft. party wall with the single-story S.E Market, and the rear of the lot is irregular, based on the limits of the public alleyways. The Lot Area is 7,859 sq. ft. as surveyed. The height of the building will be 28 ft. The total gross floor area of the proposed two-story building is 12,018 sq.ft. The projected Floor Area Ratio (FAR) is 1.5 and the Lot Occupancy will be 83%. The required 15 ft. rear yard is calculated using the averaging method for irregularly-shaped rear yards. There are no side yards, and none are required. There will be no courts. The HVAC equipment on the roof will be well within the maximum permitted height, and will be set back from all exterior walls a distance at least equal to the height of the machinery above the roof. This also holds true for the elevator overrun structure.

The Community Action Group owns two interior alley lots in Square 1072 and proposes to use one of these lots to fulfill the parking requirements for the main lot.

Lot 48 measures 38'10" x 53', and Lot 800 is 40' x 53'. Both lots belong to the Community Action Group and are unimproved and currently serve as parking.

Barring a special exception from the parking requirements, the Community Action Group has only two choices in order to achieve its needs in the new structure and fulfill the current parking requirements, both would violate the character of the neighborhood in addition to being cost prohibitive. The first would be to limit the footprint of the building and build to the allowable height limit. As the lot straddles an R-4 residential zoning line, this option would be out of character with the immediate surrounding neighborhood. The other option would be to provide a parking structure. Again, this possibility would also be contrary to the low-rise nature of the neighborhood. Both these options would be cost prohibitive to the Community Action Group, which functions as a 501 C3 not-for-profit faith-based organization.

The applicant meets the tests for special exception approval as follows:

2116 LOCATION OF PARKING SPACES

2116.5 *Except as provided in § 2117.9, if approved by the Board of Zoning Adjustment pursuant to § 3104 for special exceptions, open parking spaces accessory to any building or structure may be located anywhere on the lot upon which the building or structure is located, or elsewhere, except in the case of a one-family dwelling, in accordance with §§ 2116.6 through 2116.9*

DISCUSSION Six parking spaces are required for this proposed use. One of those spaces will be located on Lot 84. The other five required spaces will be located on Lot 800.

2116.6 *The Board shall determine that it is not practical to locate the spaces in accordance with § 2116.2 for the following reasons:*

- (a) *Unusual topography, grades, shape, size, or dimensions of the lot,*
- (b) *The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets,*
- (c) *Traffic hazards caused by unusual street grades, or*
- (d) *The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties.*

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DISCUSSION. The location of those other five required spaces on Lot 800 would result in a more efficient use of land, better design, and less adverse impact on neighboring properties. As a not-for-profit organization, the Applicant would suffer a hardship if it had to locate those five spaces in an underground garage. If the spaces were to be located in the building, the applicant would need to construct a third floor to accommodate the required space for its programs, which would have an adverse impact on the low-scale neighboring R-4 properties in the immediate vicinity.

2116.7 When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, the parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred.

DISCUSSION. Lot 800, on which the other five required parking spaces will be located, is across the public alley from Lot 84.

2116.8 The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structure that they are designed to serve.

DISCUSSION. The location of the five required parking spaces on Lot 800 will be reasonably convenient to the users of the main building

2116.9 The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.

DISCUSSION. Lot 800 is already used for parking and has historically been used for parking for many years. Locating the five required parking spaces to Lot 800 will not change the current use of that property, nor will there be any discernable difference in the use of that lot. There is no need for any special treatment or condition to be imposed by the Board.

Section 3104.1 – Special Exceptions:

Pursuant to authority contained in the Zoning Act, the Board is authorized to grant special exceptions, as provided in this Title, where, in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Maps, subject in each case to the special conditions specified in Title 11 DCMR

Subsection 3104.1 Special Exceptions

1. **The proposed Special Exception will be consistent with the general intent and purpose of the Zoning Regulations and Map.**

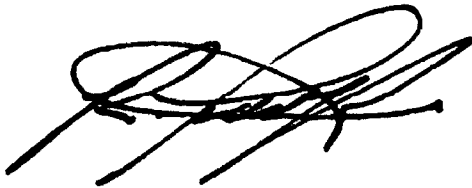
The Zoning Regulations allow accessory parking to be located on a lot other than where the principal use is located, under certain conditions. The applicant believes that this situation is the perfect example of why this special exception provision is in the regulations--a not-for profit community service organization in a commercial zone, adjacent to a residential zone, where there is insufficient space on the commercial property to satisfy the parking requirement, but where the organization owns several adjacent alley lots in the abutting residential zone that have long been associated with the main lot as parking for the main use.

2. **Granting the application will not be of substantial detriment to the public good – i.e. traffic noise, lighting, etc.**

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The neighboring buildings on the same street block 15th Street SE are currently one to three-stories. The height limit for the C-2-A zone is 50 feet and the R-4 zone is 40'-0" or (3) stories. The building as proposed does not exceed 35 feet in height. The nature of the block will be preserved. The massing will not significantly differ from the condition prior to the collapse of the existing building. This would not be the case if the owner were forced to add another story to the building in order to allow more parking. This would necessarily bring the building to its legal height limit and fundamentally alter the nature of the block. In this case, by adhering to the zoning rules the building would be in contrast to the intent and purpose of those same rules. By allowing for a Special Exception the Board of Zoning Adjustment will allow the Community Action Group social services facility to blend with the neighborhood in the manner of the previous usage of 124 15th Street SE.

Considering the above criteria it is with great respect that The Holy Comforter St. Cyprian Community Action Group requests your favorable review of this request for Special Exception of location of Parking Spaces to be on a lot separated only by an alley from the lot upon which the building or structure is located in keeping with §2116.5 and 3104. Thank you.

A handwritten signature in black ink, appearing to read 'R. Todd Ray', with a stylized, flowing script.

R. Todd Ray, AIA, LEED-AP
Principal
StudioTwentySeven Architecture