

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment 2011 OCT -7 PM 1:39
FROM: Arthur Jackson, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 11, 2011
SUBJECT: BZA Case No 18260, 124 15th Street SE

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to locate required parking offsite for a proposed community center use, the Office of Planning (OP) **recommends approval** of the special exception requested in accordance with § 2116

However, since the requested five (5) parking spaces on lot 0800 would meet the Zoning Regulation requirement, OP also recommends that approval granted under this special exception only apply to this lot. After OP noted that this proposal would exceed the allowable non-residential floor area ratio in C-2-A, the applicant agreed to reduce the building floor area to meet the current standard

II. AREA AND SITE DESCRIPTION

Address:	124 15 th Street SE, et al
Legal Description:	Square 1072, Lots 48, 84 and 800
Ward:	6
Zoning:	C-2-A/R-4 – community service centers are allowable uses in C-2-A (where the proposed use would be located) and locating required parking offsite requires special exception approval in accordance with the provisions of § 2116 in R-4 (where the offsite parking spaces would be located)
Lot Characteristics:	Lot 84 (94 feet wide and 7,848 square feet in area, equal to 0.18 acre) is developed with a vacant two-story building of masonry construction with frontage along 15 th Street (refer to Figure 1 below) that has partially collapsed. Unimproved lots 48 (2,059 square feet) and 800 (2,165 square feet) are located nearby along the existing paved alley network within the square. These two alley lots are currently used for vehicle parking (refer to Figure 2)
Adjacent Properties:	To the north along the same street frontage and across the existing alley are two-story row buildings used for residential and commercial purposes, immediately south is the one-story Southeast Market on the corner, east across the alley are the backyards of two-story row dwellings fronting 16 th Street SE; and to the west across 15 th Street SE east are more two-story row buildings occupied by commercial and residential uses

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Neighborhood Character:	Moderate-density residential and commercial
Historic Preservation:	No historic district in this area.

III. APPLICATION IN BRIEF:

The Holy Comforter St. Cyprian Community Action Group, the applicant, plans to redevelop lot 84 with a masonry building for use as a community service center. It would be very similar to the structure what currently occupies the site. The two-story tall building as proposed would have a gross floor area of 12,018 square feet. According to the submitted plans, a trash enclosure and one handicapped-accessible parking space accessed from the alley would occupy the rest of the site. The application explained that the circumstances surrounding this case.

During the course of renovating the previous building on this property for use as a community service center in 2008 in accordance with approved building permits, the rear building wall collapsed. The remaining structure was subsequently determined to be unsound and the remaining building was demolished. Upon applying for a new permit to construct a building of the same size on the property, the applicant was now required to meet the parking requirement for the new structure.

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

C-2-A Zone ¹	Regulation	Proposed	Relief?
Height (ft.) § 770	50 ft. max.	28 ft.	None required
Lot Width (ft.)	None	94 ft.	None required
Lot Area (s.f.)	None	7,004 s.f. ²	None required
Floor Area Ratio (FAR) § 771	2.50/1.50 FAR (max. non-residential)	0/1.72 FAR (12,018 s.f.)	+ 0.22 FAR (will be revised to conform)
Lot Occupancy § 772	100%	83%	None required
Open Court § 772	12 ft. wide (min.)	21 ft. ³	None required
Rear Yard (ft.) § 774	15 ft.	31 ft. +	None required
Parking § 2101	1 space/2,000 s.f.	1 space onsite (6 spaces required)	-5 spaces
Loading § 2201	1 space 20-ft. deep, if > 30,000 s.f.	None Required	None required

Based on this analysis, zoning relief is required because:

- the proposed non-residential floor area ratio would exceed the maximum allowed in C-2-A; and
- the one parking space onsite would be less than the minimum requirement.

To address the lack of parking onsite, the applicant requested special exception relief to locate the balance of the required parking across the alley on lot 800.

¹ Although the lot is split-zoned C-2-A and R-4, the project architect confirmed with OP that the proposed construction would be located entirely within the portion of lot 84 zoned C-2-A.

² An OP calculation of the approximate lot area within the C-2-A district.

³ Located in the rear of the second floor.

Since relief was not requested from the current non-residential FAR limitations, OP notified the applicant that this proposal must either be amended to be consistent with the above-referenced standard or FAR relief must be requested. The applicant agreed to bring the FAR into conformance.

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief per § 2116 (Parking Onsite)

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.*

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;*

The land area remaining on lot 84 after the proposed new construction would not accommodate more than one of the required six parking spaces.

(b) *The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;*

The existing alley network provides sufficient vehicles access to the existing alley lots.

(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.*

Locating the additional parking on the nearby alley lot would allow the subject property to be developed with a structure along the street frontage which is the established pattern along 15th Street.

In response to issues raised by the neighbors, the applicant signed a memorandum of understanding with the surrounding neighbors to address concerns about construction activities, center operations after construction is completed, future parking management and on-going relations with the neighborhood.

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.*

The parking on alley lot 800 would be separated from the subject property by an alley.

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 structures that they are*

Figure 1



designed to serve.

Lot 800 parking spaces would be convenient for center visitors.

- 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.*

Based on the submitted plans, no additional standards or improvements are recommended.

However, since the intent of these zoning provisions is to address the need to locate *required* parking offsite, and the parking requirement would be satisfied by the parking spaces proposed on lot 800, OP recommends that approval granted in this case only apply to the lot 800 and not extend to lot 84.



V. COMMUNITY COMMENTS

During a regularly scheduled meeting on September 13, 2011, Advisory Neighborhood Commission (ANC) 6B voted unanimously to the request with the understanding that the applicant would agree to enter the square from the north to use the proposed parking spaces, and the above-referenced MOU.

However, since no driveway access exists into the alley network from the north (A Street SE), the applicant should clarify the intent of this stipulation with the ANC.