

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: March 27, 2012

SUBJECT: BZA 18330 – 2337 Champlain Street, NW

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I. RECOMMENDATION

The Office of Planning (OP) recommends **APPROVAL** of the application by FCP Champlain LLC (applicant) which requests, pursuant to 11 DCMR § 3104 and § 1403.1, special exception, to increase the 40 foot height provision of the Reed-Cooke Overlay to 48.75 feet. In addition, the applicant requests, pursuant to 11 DCMR § 3103.2, area variance from the provision of §402.4 to increase the allowable floor area ratio (FAR) of 2.16 to 2.41 to accommodate a 40 unit residential development in the RC/R-5-B District.

II. AREA AND SITE DESCRIPTION

Address	2337 Champlain Street, NW	BOARD OF ZONING ADJUSTMENT District of Columbia CASE NO. <u>18330</u> EXHIBIT NO. <u>35</u>
Legal Description:	Square 2563, Lot 887	
Ward/ANC:	1/ANC-1D	
Lot Characteristics:	The nearly square lot has an area of 13,853 square feet and fronts on Champlain Street, NW and an alley that varies between 11 feet and 13 feet in width.	
Existing Development:	The property is currently used as a surface parking lot.	
Zoning:	RC/R-5-B	
Adjacent Properties:	North – 4-story condominium in the R-5 B district East – 4-story apartment buildings in the R-5-B and RC/R-5-B zones. South – 2-story Brass Knob building ¹ in the RC/R-5-B zones West: - 2- and 3-story row houses and a 4-story apartment building in the RC/R-5-B zones	
Surrounding Neighborhood Character:	The neighborhood is characterized by mixture of 2-3-story rowhouses, 4-5 story apartment buildings, neighborhood retail and institutional uses.	
Historic District	Not within a historic district.	

III. APPLICATION

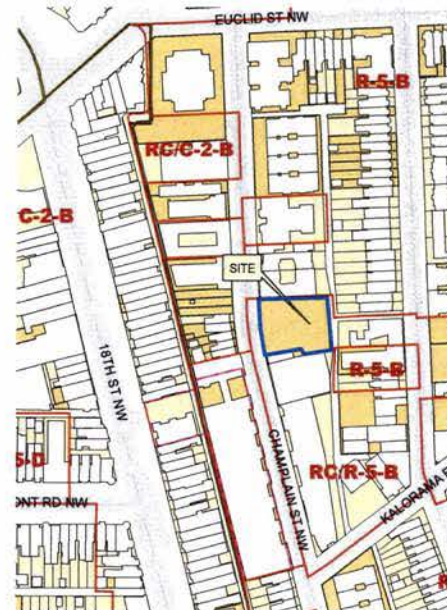
Currently, the subject property is used as a surface parking lot. In its original submission, the applicant proposed a residential building at a height of 50-feet. Subsequently, the application was revised to reflect the

¹ BZA 18167/17431-B approved a building at a height of 50 feet and 2.64 FAR for this property.

lowering of the building to a height of 48.75 feet. The building will continue to accommodate 40 units with a 10 space underground parking garage and nine surface spaces, accessed directly from the alley.



Photograph of Site



Site Location and Zoning

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

The subject site has a R-5-B base zone and is within the Reed-Cooke Overlay District (RC). The R-5 districts are designed to permit flexibility for all types of urban residential developments along with those institutional and semi-public buildings that are compatible with adjoining residential uses. The R-5-B district permits developments with moderate height (50 feet) and density (2.16 FAR).

Generally, the purpose of the RC Overlay is designed to protect existing housing, provide for new development, and encourage small-scale business development that does not affect the residential uses. The Overlay limits the height of buildings to 40 feet.

The RC/R-5-B requirements and how the proposal meets them are outlined below in the table.

R-C/R-5-B Zone	Regulation	Proposed ²	Relief
Height (ft.) § 1402.1	40 ft. max.	48.75ft.	Required
Lot Width (ft.) § 401	N/A	120 ft.	None required
Lot Area (sq. ft.) § 401	N/A	13,853 sq. ft.	None required
Floor Area Ratio § 402	2.16 total	2.41	Required
Lot Occupancy § 403	60% max.	60%	None required
Rear Yard (ft.) § 404	15 ft. min.	19.8 ft.	None required

² Information provided by applicant.

Side Yard (ft.) § 405	8 ft. minimum if provided	None provided	None required
Open Courts § 406	14 ft. width 392 sf. Area	27.6 ft. width 1,590 sf. Area	None required
Closed Courts § 406	14 ft. width	25.2 ft. width 1,235 sf. Area	None required

V. OFFICE OF PLANNING ANALYSIS

Special Exception

The Reed-Cooke Overlay District specifies a maximum height of 40-feet or 4-stories except in specified places. The Overlay District allows exceptions of up to 50-feet if the criteria outlined below in Section 1403 are met:

- (a) **The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the Reed-Cooke Overlay District;**

The purposes of the Reed-Cook Overlay District are outlined in Section 1400.2 of the Zoning Regulations:

- (a) *To implement the objectives of the Reed-Cooke Special Treatment Area (Section 1128 of the Comprehensive Plan as adopted), which are to do the following:*
- (1) *Protect current housing in the area, and provide for the development of new housing;*
 - (2) *Maintain heights and densities at appropriate levels; and*
 - (3) *Encourage small-scale business development that will not adversely affect the residential community;*
- (b) *To ensure that new non-residential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, service, and employment needs in the Reed-Cooke and Adams-Morgan community; and*
- (c) *To protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetic impacts.*

The proposal will not displace any existing residences but in fact will be adding to the residential stock and character envisioned for the Reed-Cooke area. The proposal to construct a building at a height of 48.75 feet is comparable to other multifamily buildings in the area many of which have heights of 50 to 55 feet. This includes buildings with height relief granted by the BZA, generally because they demonstrated that there were situations which were deemed to be unique to that property and because they contributed affordable units. The building to the north of the site is built as a matter-of-right that would allow a height of 50 feet. Overall, the Reed-Cooke area is developed with buildings of various heights that are compatible with each other. As will be demonstrated below, the proposed development will not produce damaging traffic or parking.

- (b) **Vehicular access and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition;**

To avoid conflicts with pedestrian ways, access to the 10 below grade parking spaces and nine surface spaces will be from the rear of the building through the alley. The alley can be accessed from Ontario Road, Kalorama Road and further north on Champlain Street. DDOT has determined that the 20 parking spaces will not introduce an excessive amount of traffic into the alley.

- (c) Adequate off-street parking shall be provided for employees, trucks, and other service vehicles;**

Most delivery trucks to serve the residents will be short term and should be able to park in front of the building.

- (d) If located within a C-2-B zone, the use shall not be within twenty-five feet (25 ft.) of a Residence District, unless separated therefore by a street or alley;**

N/A

- (e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;**

The proposed residential units will introduce additional activity but not unexpected or unusual noise into the neighborhood.

- (f) No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted; and**

Garbage from the units will be accommodated in a storage area on the first floor where it is stored and later collected from the alley.

- (g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.**

The applicant has requested an increase in height above the 40-feet allowed by the RC Overlay district. The use, size and design of the building will be compatible to other buildings along Champlain Street and the wider Reed-Cooke area. The proposed height of the building will only be five inches greater than the building to the north and therefore should not substantially affect the neighboring property. In addition, the applicant has provided a roof plan (Sheet A5.6) which shows the penthouse structure that is setback from the outer wall adjacent to the property to the north although this setback is not required. The setback will allow for privacy and any other negative impact that may result on the adjacent building and residents.

DDOT in their report (submitted under separate cover) has found that the parking provided is adequate to serve the residences and visitors. The access from the alley will mitigate any impact on traffic or pedestrian movements along Champlain Street. The applicant has also provided adequate setbacks along Champlain Street to accommodate pedestrian movements.

Variances

The applicant has requested a variance from Section 402.4 of the Regulations to increase the allowable FAR. The R-5-B district allows a maximum FAR of up to 2.16 with the use of bonus density from Inclusionary Zoning for developments in the R-5-B District. The applicant is proposing to have a FAR of 2.41 and is providing 1,870 square feet of space for low income (up to 50% of AMI) residents and 1,8470 square feet of space for moderate income (50% - 80% of AMI) residents for a total of 3,740 square feet of space for affordable housing.

The standard by which the BZA should approve a variance is set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;

The subject property is unique due to its irregular shape and significant change in topography that slopes up from south to north, a 9-foot difference, and also from east to west, a 2.5-foot difference.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

In order to maintain the residential street wall along Champlain Street, the parking entrance is placed at the rear of the building. The slope across the site creates a practical difficulty in meeting the strict application of the FAR requirements. The garage entrance has to be placed at the high point on the site to accommodate the height of the ramp necessary to allow the parking to be placed below grade. The building therefore has to be raised by five feet to achieve the necessary height of the ramp. Raising the building to accommodate the ramp results in the raised first level and a portion of the garage being above grade. This above grade portion contributes to the overall FAR. If the access to the garage was off Champlain Street, the grade of the ramp into the garage would be much less and would not necessitate the rising of the building. Further, without the additional height, the units which create the residential street wall would be reduced to 8.6 feet which is below the average market heights for residential units.

The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

The requested increase in height will allow the parking access to be located to the rear of the building which will further the public good. The small increase in FAR which will not be attributed to any extra units will be consistent with the intent, purpose and integrity of the zone plan and map.

VI. COMMUNITY COMMENTS

On March 7, 2012, ANC-1C vote to recommend approval of the Special Exception to increase the height of the proposed building and the variance to increase the FAR. The Reed-Cooke Neighborhood Association has reviewed the application but to date has not made a formal recommendation.

VII. SUMMARY AND RECOMMENDATION

The applicant has demonstrated that the increased height and FAR requested meets the special exception and variance requirements. These increases will allow for a development that is compatible to surrounding developments, allows for a better design, and will protect pedestrians who traverse Champlain Street. OP therefore recommends that the requested special exception and variance be **APPROVED**.