

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



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Mr. Richard S. Nero, Jr
Deputy Director of Operations
District of Columbia Office of Zoning
441 Fourth Street, SW
Washington, DC 20001

**BOARD OF ZONING ADJUSTMENT
District of Columbia**

**CASE NO. 18412
EXHIBIT NO. 26**

RE BZA Application No 18412 – 1005 North Capitol Street, N E
Washington, DC 20002 (Square 674, Lot 439) – Application Pursuant to 11
DCMR Subsection 774.6 for Area Variance from Court Width and Area
Requirements of Section 776, Area Variance from Off-street Requirements of
Section 2101.1, Area Variances from Loading Berth Depth and Service Delivery
Space Requirements of Section 2201.1, Special Exception from the Rear Yard
Requirements of Section 774.2 and Special Exception from Roof Structure
Setback Requirements of Sections 411.11 and 770.6 to Allow the Construction of
a New Building with Residential, Retail and Office Use at Premises
Located at 1005 North Capitol Street NE in the C-3-C District

Dear Mr. Nero

This responds to your memorandum, dated May 18, 2012, which transmitted the above referenced BZA Application to the Department of Housing and Community Development (DHCD) for review and comment as required by 11 DCMR Section 3104.1 of the Zoning Regulations. In the interest of full disclosure, DHCD states for the record that the Applicant, Be the Change Development Corporation (Be the Change), has submitted the project proposed for this property to the Agency's in its most recent Request for Proposals (RFP) solicitation process. DHCD is currently reviewing the project RFP application for possible selection for underwriting and funding through the RFP process.

Be the Change proposes to develop the vacant Lot 439 as an approximately 83,730 square foot (SF) building consisting of 122 efficiency residential units for homeless and senior residents with 3,062 SF of first floor retail and 5,113 SF of office use associated with the homeless residential units. The proposed building will be 14 stories tall. Because of the small lot area (8,925 SF) and narrow width (85 feet) and the site's immediate adjacency to the historic landmarked St. Phillip's Baptist Church (located on the south property line of the site), Be the Change is applying for the three area variances and two special exceptions listed above in order to accommodate the proposed building on such a small constrained site.

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Because of the small size of the property, and the fact that the property is bounded by other properties on the north, east and south property lines, the Applicant is seeking a Special Exception from the off-street parking requirements (Section 2101.1). The site is too small to be able to build the necessary ramps needed for underground parking. The users of the building will be homeless and former homeless residents and will not have cars. The presence of St. Phillip's Baptist Church on the south property line makes excavation for an underground garage with required underpinning of the Church almost impossible to do.

Because of the narrow 85 foot frontage of the site and small site area, it is only possible to have a narrower shallower (12 foot x 30 foot) loading berth serving the site from the front. The Applicant is seeking an area variance from the requirements from the loading berth requirements (Section 2201.1). Because the users and residents of the buildings will be homeless or formerly homeless, there will only be the need for a smaller loading berth to accommodate the smaller service vehicles that will be serving the residents.

The Applicant is proposing three open courts as part of the building design – narrow open courts on the north and south property lines and a larger open court at the southwest corner of the building. In order to incorporate the open courts, an area variance from the court width and area requirements (Section 776) is being requested. The two narrow property line courts will permit the building to have light and views to the building hallways and residential units. The southwest corner court will create open space to better accommodate the proposed mass of the new building to the immediate adjacent landmark St. Phillips Church and its prominent steeple.

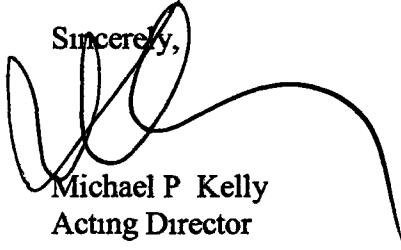
The proposed building has provided the required rear-yard setback for most of the east facing rear façade, but small portions of the façade project into the rear yard. The Applicant is seeking a special exception from the rear yard setback requirements (Section 774.2) for those small portions of the façade that project into the rear yard.

The proposed building roof structure has the required setback from the front of the building but is on the face of the east facing rear façade. The Applicant is seeking a special exception from the roof structure setback requirements (Sections 411.11 and 770.6). The placement of the roof structure on the proposed building screens it as much as is possible from the view of the neighboring St. Phillips Baptist Church. The placement of the roof structure is driven by the internal configuration of the building plan.

Because this proposed building is located immediately adjacent to the historic landmark St. Phillips Baptist Church, it is important that the State Historic Preservation Officer comment on this BZA Application to determine the impact that this 14 story building will have on the visual integrity of the landmark Church.

For all the reasons stated above, DHCD supports the BZA application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael P. Kelly', with a long, sweeping horizontal line extending to the right.

Michael P Kelly
Acting Director