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MEMORANDUM

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TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager

Joel Lawson, Associate Director Development Review

DATE: December 4, 2012

SUBJECT: BZA Case 18449 – 1251 Saratoga Avenue, NE (Israel Baptist Church)

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18449

EXHIBIT NO. 28

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of:

- Area variance relief pursuant to 11 DCMR 3103, from the on-site parking requirement under § 2101 to provide **45 spaces** where **136 spaces** would be required for the combined use of the existing church and the proposed use of a new addition as a community health facility (permitted as a matter-of-right), subject to:
 - Management of the shared on-site parking by the church; and
 - Approval by the Public Space Committee regarding access to 10¹ of the 45 requested on-site spaces, as shown in the applicant's revised submission.
 - A vegetative screening of the parking area adjacent to Lot 32 and Saratoga Avenue.

OP also recommends **approval** of **special exception relief** pursuant to § 3104, from the location of parking spaces requirement under § 2116.4 (a) to locate a portion of the on-site parking area (west of the addition) between a building restriction line and a lot line abutting the street.

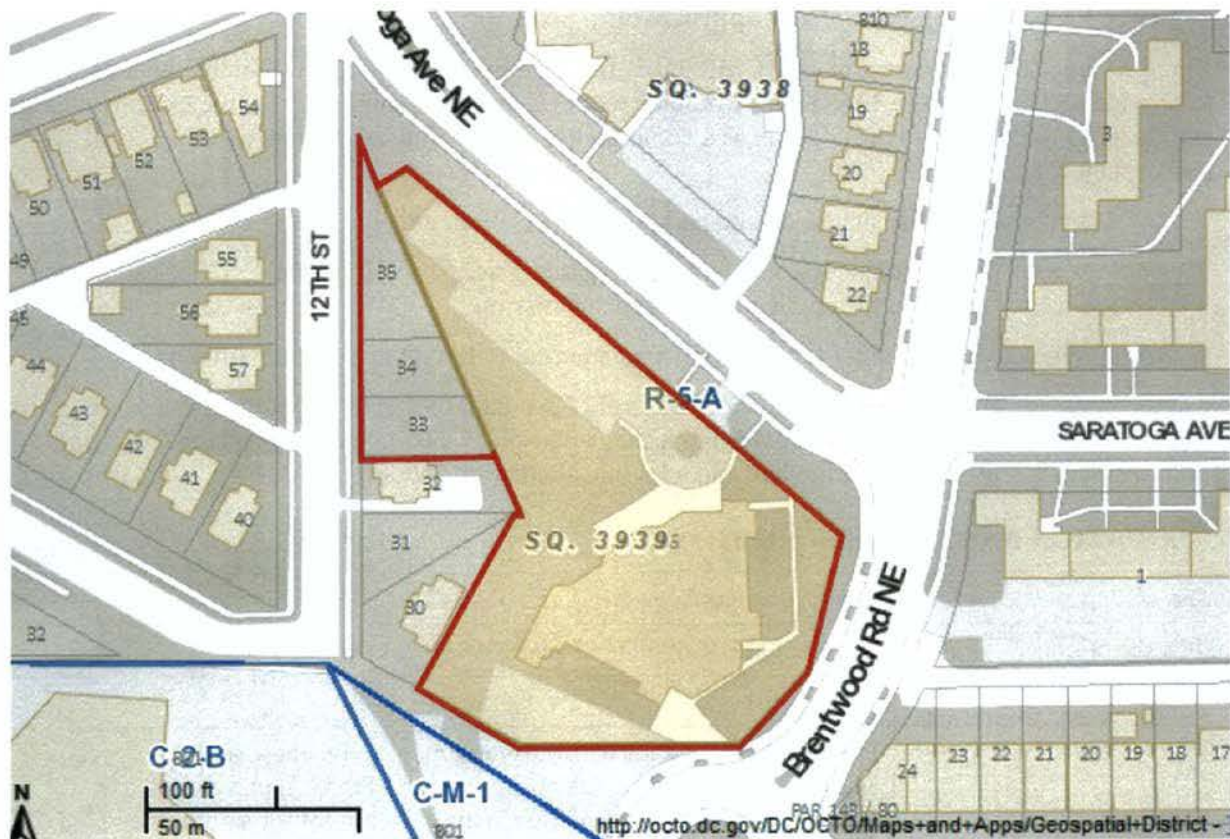
II. LOCATION AND SITE DESCRIPTION

Address	1251 Saratoga Ave., NE and 2407-2411 12 th Street NE
Legal Description	Square 3939, Lot 0036; Square 3939 Lots 0033-0035
Ward/ANC	5/ ANC 5B
Lot Characteristics	Irregularly shaped lot with varying topography, abutting three streets. The subject property is the consolidation of three undeveloped lots fronting on 12 th Street and the existing church lot for a combined area of 94,779 sf.
Zoning	R-5-A. The R-5-A zone district permits low density residential uses, including churches, schools and health care clinic.
Existing Development	A two-story church structure with two accessory parking lots at the front and rear of the building.

¹ The applicant previously stated that there were 18 spaces to the south of the site. However, that number was adjusted to reflect the number of legal size spaces that could exist in this location. Therefore the number of on-site spaces was reduced from 53 to 45.



Adjacent Properties	The church's property abuts three streets including 12 th Street to the north, Saratoga Avenue to the east and Brentwood Road to the south. An undeveloped portion of Bryant Street NE abutting the south west property line is currently used for public parking. To the north west of the subject property are three residential lots (Lots 30-32), two of which are developed with residential properties and one (Lot 31) is vacant.
Surrounding Neighborhood Character	The neighborhood is a mix of low to moderate density apartments, row dwellings and detached homes in the R-5-A District. The property abuts the closed portion of Bryant Street along the southern and western property lines and is within the C-M-1 district. Across Bryant Street is the Brentwood Shopping Center located in the C-2-B District. Another church is located across Saratoga Avenue.



III. APPLICATION-IN-BRIEF

The applicant, Israel Baptist Church, has proposed a three-story addition to the church to house a community clinic on the ground and first floors, with social and recreational space for the church on the third floor. Lot 36 which is developed with the church and a small 10-space parking area would be combined with Lots 33-35 to form a single lot in order to facilitate the addition.

The clinic which is permitted as a matter-of-right (§ 330.5 (g)) would operate Monday through Saturday between the hours of 8:00 am to 9:00 pm with approximately 50 to 60 total employees who have overlapping shifts, so they won't all be on site at one time. The applicant has informed OP that the shared parking would be managed by the Church or the company managing the clinic building. In addition, an

agreement is being finalized with Home Depot to use their lot for overflow parking on Sundays and during special events.

According to the Zoning Administrator, the clinic would require 83 on-site parking spaces and the church requires 53 spaces per § 2101. The entire site after the clinic's addition would only accommodate 45 legal-sized parking spaces. Therefore, relief would be required to satisfy the zoning requirements for the combined uses on the site, shown in the following table.

OP advised the applicant that relief would be required from the location of parking spaces requirement of Section 2116.4 (a). The applicant submitted revised drawings accordingly.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

R-5-A Regulation	Requirement	Existing	Proposed ²	Relief
Floor Area Ratio § 402.4	0.9	0.35	0.90	None required
Lot Occupancy § 403	60 % max.	17 %.	32 %	None required
Parking § 2101				
Church	1 for each 10 seats of occupancy capacity in the main sanctuary; = 53	10	35 for a total of 45 spaces	Variance Required
Clinic	1 space for each 300 sf of gross floor area or cellar floor area = 83	None	None	
Location of Parking Spaces § 2116.4	parking spaces not be located between a building restriction line and a lot line abutting a street.	N/A	35 spaces	S.E. Relief Required

V. OFFICE OF PLANNING ANALYSIS

A. Variance Relief from § 2101 – On-Site Parking

i. Exceptional Situation Resulting in a Practical Difficulty

The combination of the property's varied topography and irregular shape results in an exceptional situation which creates a practical difficulty for the church in providing the required number of on-site parking spaces. The irregular shape and topography makes it difficult for the efficient layout of the parking spaces even though the building's footprint would only occupy less than half of the lot area. Based on the site's proposed lot occupancy, if the lot was flat and regularly shaped, up to 64,450 sf of land would be available to accommodate a surface lot for 136 on-site spaces (not including drive aisles etc.). In addition, the cost for the provision of below grade parking may be prohibitive, requiring expensive engineering to grade and excavate and protect the two residential properties within the square.

ii. No Substantial Detriment to the Public Good

No substantial detriment to the public good is anticipated as the clinic would be located in a neighborhood where mass transit, bus and taxis are easily accessed. The property is located within walking distance of the Rhode Island Avenue Metrorail stop and Metrobus stops for several crosstown routes along Rhode Island Avenue and Brentwood Road. This availability would reduce some of the on-street parking demand that may be created by some visitors and employees of the clinic.

² Information provided by applicant.

The clinic's proposed operation would be from Monday to Saturday between the hours of 8:00 am to 9:00 pm, which is not anticipated to coincide with the main church's functions on Sundays. The applicant has indicated that the parking area would be under management to control spillover parking into residential streets when other church events, such as funerals overlap with the clinic's hours of operation. The applicant also informed OP that parking arrangements are in discussion between the church and the Home Depot parking lot to the west to provide additional church parking on Sunday's. DDOT has requested that the applicant indicate the pedestrian path for attendees from the Home Depot parking lot.

OP does not anticipate that granting the requested relief would create undue demand for on-street parking in the neighborhood, if the on-site parking is effectively managed and other parking arrangements for Sundays are negotiated.

iii. No Substantial Harm to the Zoning Regulations

The Zoning Regulations would not be substantially harmed if relief is granted from the on-site parking requirement for the permitted church and clinic uses. Reduced parking, shared parking arrangements, appropriate management, and access to transit all help to manage a site's traffic and parking impacts.

B. Special Exception Relief pursuant to § 3104 Subsection 2116.4

Based on the location of the proposed parking spaces, OP advised the applicant that relief would be required from the requirement of Section 2116.4 (a) which specifies that parking spaces not be located between a building restriction line and a lot line abutting a street. The criteria to be satisfied include:

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 lot has unusual topography, is irregularly shaped and is bounded by three streets and a paper street.
- (b) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;*
There is no alley system in the vicinity of the property. The property assumes the largest area of the square.
- (c) Traffic hazards caused by unusual street grades; or*
N/A
- (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.*

The location of the proposed parking area is the most efficient use in this instance, as there would be no other available area on the property after construction of the proposed clinic addition. This addition would occupy the existing parking area for the church. The site's varied topography and the location of the abutting residences close to the subject property lines potentially hinders the construction of below grade parking for the site. Therefore, the proposed location would have a less adverse impact on neighboring properties.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The applicant has demonstrated that the proposal for the parking area between a building restriction line and a lot line abutting a street meets all the requirements of Section 2116.6 and is therefore in harmony with the intent of the Zoning Regulations.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

OP recommends vegetative screening to minimize the parking area's view from the residential Lot 32 to the west of the parking area, as well as along the property line abutting Saratoga Avenue. OP does not anticipate adverse impact to neighboring property, due to the parking lot, as the use has been customary to the church's use and would only be relocated on the lot.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

OP has been working with staff of the Public Space Committee (PSC) to coordinate the review of this application. The PSC noted two unresolved issues with the site:

1. Access to the 10 parking spaces south of the main church building from a street; and,
2. The future use and condition of the closed portion of Bryant Street.

As such the PSC requested submission of revised plans no later than November 20, 2012 to show how those spaces would be accessed from an adjacent street. The applicant informed DDOT of the church's intention to reapply for occupancy of the paper street in order to access the private parking spaces. The Public Space Committee will review these plans and make a final decision at its December 20, 2012 meeting.

VII. DISTRICT DEPARTMENT OF TRANSPORTATION

The applicant has submitted a traffic study to the District Department of Transportation (DDOT). DDOT would issue a report to the Board under separate cover.

VIII. COMMUNITY COMMENTS

The applicant has held several meeting with the community and two meetings with the ANC in October and November 2012. OP was informed that the applicant would hold a meeting for the Single Member District (SMD) at the site on Thursday, November 29th and the ANC and SMD would provide their final comments to DDOT by December 13th 2012.