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D.C. OFFICE OF ZONING
2013 MAR 25 PM 2:44

March 25, 2013

VIA HAND DELIVERY
Lloyd Jordan, Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210S
Washington, DC 20001

Re: Supplemental Submission for Alleyoop LLC regarding 1018 (Rear) Irving Street NW
BZA Case No. 18511
Square 2833 Lot 120 (the "Property")

Dear Chairperson Jordan & Members of the Board:

Please accept for filing the enclosed Supplemental Submission of Alleyoop LLC (the "Applicant"). Enclosed you will find one original and ten copies of the Supplemental Submission for the above referenced Property. The Applicant requests variance relief pursuant to 11 DCMR §3103.2, from the alley lot requirements (§2507), the use requirements (§330), and the nonconforming structure requirements (§2001) to allow the Applicant to convert an existing automotive repair to a mixed-use office/residential building in the R-4 District on an alley lot at premises 1018 (Rear) Irving Street NW.

While initially *pro se*, the Applicant retained our firm as zoning counsel following the March 5, 2013 BZA Hearing. An agent authorization Letter is included as Exhibit 1 of this submission. The application package includes the following materials:

A. Agent Authorization Letter;
B. Supplemental Statement of the Applicant;
C. Baist Atlas Map;
D. Engineer's Report;
E. Photographs of Roof Damage;
F. Total Investment Summary;
G. Pedestrian Plan, Traffic Plan, and Waste Management Plan;
H. Line of Sight Diagrams;
I. Alternative Uses Income Analysis;
J. Building Height Study;
K. Profit and Loss Analysis;
L. Comparables; and
M. *Alleys: DC's Other Streets Are Attracting Attention.*
N. Additional Neighbor Letters of Support

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18511
EXHIBIT NO. 34

If you have any questions, please do not hesitate to contact me on behalf of the Applicant. Thank you for your attention to this application.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP

By: Meridith H. Moldenhauer

A

March 23, 2013

VIA HAND DELIVERY

Board of Zoning Adjustment
441 4th St NW
Suite 210S
Washington, D.C. 20001

AGENT ASSIGNMENT FOR 1018 IRVING STREET NW

Honorable Members of the Board:

Alleyoop, LLC is the owner of the property located at 1018 Irving Street, NW, Washington, DC 20001. This letter serves as notice that Griffin, Murphy, Moldenhauer & Wiggins, LLP, with Meridith H. Moldenhauer as counsel, will be my authorized agent in connection with my application before the Board of Zoning Adjustment.

Sincerely,

Alleyoop, LLC, Owner
Greg Gardner, Authorized Agent

B

BEFORE THE DISTRICT OF COLOMBIA
BOARD OF ZONING ADJUSTMENT

APPLICATION OF ALLEYOOP, LLC	**1018 (REAR) IRVING STREET NW ANC 1A**

SUPPLEMENTAL STATEMENT OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

This Supplemental Statement is submitted on behalf of Alleyoop, LLC (the "Applicant"), the owner of an alley lot located at 1018 Irving Street NW, Lot 837 in Square 2851 (the "Property"), in support of its application for variance relief, pursuant to 11 DCMR §3103.2, from the alley lot requirements (§2507), the use requirements (§330), and the nonconforming structure requirements (§2001) to allow the Applicant to convert an existing automotive repair to a mixed-use office/residential building in the R-4 District on an alley lot at premises 1018 (Rear) Irving Street NW.

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the "Board" or "BZA") has jurisdiction to grant the variance relief requested herein pursuant to §3103.2 of the Zoning Regulations.

III. BACKGROUND

A. Background Information Regarding the Property

The Property, also known as Lot 837 in Square 2851, is a large alley lot with approximately 5,901 square feet of land area and a width of roughly 52.7 ft. The Property is bounded on three sides (east, west, and south) by public alleys. The north side of the Property was historically abutted by a public alley as well. However, that segment of public alley was subsequently deeded to properties abutting Irving Street NW. The existing structure has a footprint of roughly 4,072 square feet occupying only 67% of the lot. The remainder of the lot is an open yard. The open yard allows for 24.8 feet of separation between the structure and the northern property line. *See* Baist Atlas Map, attached hereto as Exhibit C. The

Property consists of a one-story, 18.5 foot tall, automotive repair shop that has been in use since at least 1928 and remained in use and operation until September 2012. The Property is contaminated by oils, solvents and chemicals due to the extended use as an automotive repair shop. A public elementary school is located northwest of the Square. The Property is approximately 2½ blocks east of the Columbia Heights Metro Station. The Property is not located within any historic district, and the existing building on the Property is not listed on the D.C. Inventory of Historic Sites.

B. Description of the Improvements in the Surrounding Area

Square 2851 is bounded by Irving Street NW to the north, Columbia Road NW to the south, 11th Street NW on the west, and Sherman Avenue NW on the east. Square 2851 is in the R-4 District and is located in Columbia Heights. On 11th Street NW, from Otis Place NW to Kenyon Street NW, is a C-2-A District. 3008 Sherman Avenue NW is a semi-detached, 13-unit apartment building. The surrounding area is made up of large two- and three-story rowhouses, flats, and apartments.

C. Description of the Proposed Development

As shown on the architectural plans, the Applicant proposes to convert an existing one-story automotive repair to a three-story mixed-use office/residential building. The first story will contain office use and four residential parking spaces. Two additional spaces will be provided on the side yard. The existing footprint will remain the same. The second story will contain three residential units and the western wall be set back reducing the lot occupancy to 54%. The third story will contain two residential units and the eastern wall will be set back reducing the lot occupancy to 36%. The second and third floors have a smaller footprint to reduce the project's scale. All residential units will have two bedrooms. The proposed structure is 39.5 feet tall. The office component will be used as an Architecture and Design office for a local residential design-build company. Operation of the office will be during the day and by appointment only.

IV. NATURE OF RELIEF SOUGHT AND STANDARD OF REVIEW

Use variance relief is required from the use provisions in the R-4 District (§330.4) and the alley lot requirements (§2507.1). Area variance relief is required from the height requirement in the alley lot provision (§2507.4) and for an addition to a nonconforming structure (§2001.3). Under D.C. Code §6-641.07(g)(3) and 11 DCMR §3103.2, the Board is authorized to grant a variance where it finds that three conditions exist:

(1) The property is affected by exceptional narrowness, shallowness, or shape or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition;

(2) The owner would encounter peculiar and exceptional practical difficulties or exceptional and undue hardship if the zoning regulations were strictly applied; and

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

As discussed below, and as will be further explained at the public hearing, all three prongs of the variance test are met in this Application.

V. THE APPLICANT MEETS THE BURDEN OF PROOF FOR VARIANCE RELIEF

A. The Property is Unusual Because of its Size, Shape or Topography and is Affected by an Exception Situation or Condition

The phrase "exceptional situation or condition" in the above-quoted variance test applies not only to the land, but also to the existence and configuration of a building on the land. *See Clerics of St. Viator, Inc. v. District of Colubmia Bd. of Zoning Adjustment*, 320 A.2d 291, 294 (D.C. 1974). Moreover, the unique or exceptional situation may arise from a confluence of factors which affect a single property. *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990).

The Property is unusual and affected by an exceptional situation and condition as a result of a confluence of the following factors: (1) the large size and irregular shape of the Property; (2) the physically deteriorated condition of the building including a compromised roof structure, deteriorating exterior walls, water damage, and fire damage; and (3) the contamination of the site as a result of the Property's prolonged use as an automotive repair shop.

First, at 5,901 square feet, the Property is unusually large. Other than lot the 5680 square foot lot at 3008 Sherman Avenue NW (Square 2851, Lot 825), the Property is roughly 3 times larger than the next biggest lot and 8½ times larger than the lots in the southeast corner of the Square. The large size of the lot makes alternative uses and structure, including a single-family home, flat, artist studios and a two-story mixed use structure, impractical on the Property. Moreover, the lot is an irregular octagon shape. The existing structure follows the awkward shape of the lot creating a bay and many angular walls.

Second, the existing structure is in a physically deteriorated condition and requires substantial renovation. The structure was built in two stages, with the southern 1/3 of the building built with a wood framed roof and the northern 2/3 built with a cast-in-place concrete roof structure. Both portions of the roof and exterior walls of the building are compromised due to significant water filtration, lack of maintenance over time, and unrepaired fire damage. *See* Engineer's Report, attached hereto as Exhibit D. On the southern portion of the structure, wood framing suffered significant fire damage that was never repaired. Evidence of the fire damage had been covered by ceiling drywall and was revealed only after removing a portion of the ceiling. The framing members and roof membrane above them have been compromised, including two large holes allowing water to leak into the building and allowing the roof framing and roof beam to rot. *See* Photographs of Roof Damage, attached hereto as Exhibit E. On the northern portion of the structure, with the concrete roof structure, the tar and gravel roof membrane is almost entirely eroded. This erosion has allowed water to enter the concrete deck, rust the reinforcing bars, and compromise the structural integrity of the concrete roof structure. To ensure safety, the entire roof structure, including the cast-in-place concrete roof structure, must be removed. *See* Exhibit D.

Structural roofing repairs, including the cost to demolish and rebuild, will cost the Applicant $65,000. Roofing, gutter, and downspouts will cost the applicant $46,000. In addition, because of the lack of a proper gutter and downspout system, water runoff has eroded the mortar and caused movement in the masonry wall. Masonry repointing and repair as a result of these deficiencies at the building will cost the Applicant $25,000 and exterior doors and window replacement will cost the applicant $13,000. To bring the building to a base level of repair the Applicant must spend $20,000 in electrical upgrades and $50,000 in plumbing upgrades as a result of deficiencies at the building. *See* Total Investment Summary, attached hereto as Exhibit F.

Third, the Property is contaminated resulting in potential clean-up costs and a significant risk of future liability. The Applicant has commissioned a Phase I and Phase II environmental study at a cost of $13,000. Due to extensive prior use as an automotive repair shop, petroleum and solvents has resulted in a recommendation of remediation. Environmental remediation, would cost the Applicant $25,000, includes excavation and removal of contaminated soil from the site as well as hauling and dumping fees. Remediation also includes topping or removal of the concrete slab in the interior of the existing structure. The ground floor slab and insulation will cost the Applicant $15,000. *See* Exhibit F. In addition, for any permitted use the Applicant is obligated to prevent off gassing.

In sum, the large and irregular lot, roof damage, fire damage, repointing repairs and masonry repairs, as well as the contamination at the Property, impose a number of significant development costs and constraints on the Property. Development of the site will entail considerable costs not normally required for similar projects. The confluence of these factors constitutes a peculiar and exceptional condition. The Office of Planning agrees, on page 4 of the OP Report, that these unique conditions make the Property exceptional.

B. Strict Application of the Zoning Regulations Would Result in Practical Difficulty to the Owner

Strict application of the zoning regulations in this case would result in a practical difficulty and undue hardship to the Applicant. Note that a five-unit residential structure of the same height and on a property of the same lot area, if not on an alley lot, would be permitted as a matter of right. In an R-4 District, an apartment use is permitted as long as there is 900 square feet per unit. The Property, at 5901 square feet, is large enough therefore to accommodate 6 residential units. The Applicant requests relief for only 5 residential units. The height requirement in the R-4 District is three stories and 40-feet. The Applicant's proposed structure meets these requirements as well.

Among the justifications for the variances requested is that the permitted alternative uses or a decrease in the proposed lot occupancy or height are simply not financially feasible. The circumstances of this case are precisely what the variance and BZA process was designed to address. As the D.C. Court of Appeals has noted, the variance procedure "is designed to provide relief from the strict letter of the regulations, protect zoning legislation from constitutional attack, alleviate an unjust invasion of property rights and **prevent usable land from remaining idle**." *Palmer v. District of Columbia Bd. of Zoning Adjustment*, 287 A.2d 535, 541 (D.C. 1972)(emphasis added). The requested relief will do just that. The Court of Appeals has repeatedly held that "economic use of property may be properly considered as a factor in deciding the question of what constitutes an unnecessary burden or practical difficulty in area variance cases." *Tyler, et. al. v. District of Columbia Bd. of Zoning Adjustment*, 606 A.2d 1362 (D.C. 1992)(internal citations removed)(*Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1171 (D.C. 1990)(Reiterating in the context of an area variance that "increased expense and inconvenience to applicants for a variance are among the proper factors for BZA's consideration.").

In *Association for Preservation of 1700 Block of N St., N.W. & Vicinity v. District of Columbia Bd. of Zoning Adjustment*, the Court confirmed that at a given point economic harm becomes sufficient, when coupled with a significant limitation on the utility of the existing structure or property, to satisfy the variance standard. 384 A.2d 674 (D.C. 1978)(Finding practical difficulty where a YMCA *could* build a structure that compiled with off-street parking requirements by reducing its size and programming but was not economically feasible or cost-effective). In *Wolf v. District of Columbia Bd. of Zoning Adjustment*, the Court of Appeals upheld a Board decision granting an area variance to permit conversion to a three-unit rental apartment where "marketability" of the property would otherwise be "unfeasible" and investment would yield loss rather than profit. 397 A.2d 936 (D.C. 1979)(Upholding approval of a lot area variance for conversion of a two-family dwelling to a three-unit apartment building where a two-family dwelling was not marketable and monthly expenses would out pace annual rental income). The Board of Zoning Adjustment has granted variances based on economic feasibility grounds on a number of occasions.

The Board has found compliance with the zoning code to be economically burdensome in a number of cases when investment in a matter-of-right development would result in a small profit but not a fair and reasonable profit. The Court in *Palmer* states that to demonstrate hardship based on economic infeasibility, an applicant must prove that the property cannot be "put to any conforming use with a fair and reasonable return arising out of the ownership thereof." *Palmer,* 287 A.2d at 541-42 (emphasis added). In BZA Case No. 17989, the Board approved a variance to convert an existing non-residential structure on an alley lot to a one-family dwelling. The Board found that "[n]o permitted use would provide the Applicant with a fair and reasonable return on his investment." BZA Order No. 17989, p6.

1. *Variance Relief Regarding an Addition to a Nonconforming Structure and Office Use in an Alley Structure*

The Applicant agrees with the Office of Planning's analysis and recommendation of approval regarding (i) an addition to a nonconforming structure (§2001.3) and (ii) office use in an alley structure (§330.4).

i. Addition to a Nonconforming Structure (§2001.3)

The permitted lot occupancy is 60%. The existing structure has a lot occupancy of 67%. While the Applicant will leave lot occupancy unchanged, variance relief from §2001.3 is required for an addition to a structure that is nonconforming as to lot occupancy. Note that the Applicant has limited lot occupancy to 54% on the second floor and 36% on the third floor. Compliance with the nonconforming structure requirements would require demolition of a significant portion of the existing building and thus strict application would result in practical difficulty to the Applicant.

ii. Office use in an alley structure (§330.4)

While the amount of commercial space is being substantially reduced, and a far less offensive use permitted in a more restrictive zone as a matter of right is taking its place, use variance relief is required from §330.4 to allow office use in an R-4 District. The unique history of the building, operated as a nonconforming automotive repair shop since well before 1958, and the substantial remediation and renovation costs justify the use variance for the office use. Furthermore, it is neither prudent nor marketable to have residential use on the ground floor due the environmental conditions at the Property. Therefore, strict application of the use provision in an R-4 District preventing office use would impose an undue hardship on the Applicant.

2. Zoning Relief Regarding Multifamily Residential Use in an Alley Structure

i. Special Exception Standard for Change to a Nonconforming Use (§2003)

Pursuant to §§2003.1 and 2003.5, a multiunit apartment use is permitted as a special exception if approved by the Board of Zoning Adjustment. Under the special exception standard, a nonconforming use may be changed to a use permitted in a less restrictive district under §2003.1. In the context of a Residence District, the regulations specifically state that the proposed use must be a dwelling, flat, **apartment house**, or a neighborhood facility no matter the heavier density use which previously existed. 11 DCMR §2003.5. In this instance, the automotive repair use is permitted in the C-M-1 Zone which allows heavy commercial and light manufacturing. Multifamily residential use is first permitted as a matter of right in the Residential Districts, deemed more restrictive districts under §2003.6. Thus, the apartment use portion of the relief sought ought to be considered pursuant to §2003.5 under the special exception standard rather than the use variance standard. Section 2003.1 refers to any existing nonconforming use and in no way distinguishes between an alley lot or street lot. Note that the Applicant respectfully submits that the apartment use be analyzed under the special exception standard but not the entire application. We maintain that the increase in height, the addition to a nonconforming structure, and the office use require variance relief.

Accordingly, apartment use may permitted by a special exception if approved by the Board of Zoning Adjustment subject to the provisions of §§ 2003.2 - 2003.4. The Applicant complies with the special exception standards as follows:

> (1) Section 2003.2 - The proposed use shall not adversely affect the present character or future development of the surrounding area in accordance with this title. The surrounding area shall be deemed to encompass the existing uses and structures within at least three hundred feet (300 ft.) in all directions from the nonconforming use.

The proposed use does not adversely affect the present character or future development of the surrounding area. The present character of the surrounding area is primarily residential with an automotive repair shop on a large alley lot. The proposed 5-unit use on the alley lot is more appropriate for an R-4 District than automotive repair. The five units proposed are permitted as a matter of right in an R-4 District, where conversion to an apartment use is permitted as long as there are 900 square feet of lot area per unit.

> (2) Section 2003.3 - The proposed use shall not create any deleterious external effects, including but not limited to noise, traffic, parking and loading considerations, illumination, vibration, odor, and design and siting effects.

The proposed use does not create any deleterious external affects. Noise, traffic, parking, odor, and design and siting effects have been carefully addressed in the Pedestrian Plan, Traffic Plan, and Waste management Plan submitted to and approved by DDOT. *See* Exhibit G. Furthermore, relative to an automotive repair shop, the number of cars, traffic concerns, and the amount of noise and odor will all greatly decrease. Illumination at the Property will be improved by replacing harsh utility pole fixture lighting with more appropriate down-lighting, which will better control the light for its intended use and prevent disturbance of neighbors. No loading or vibration will be caused by the use of the Property. As demonstrated by the Line of Sight Diagrams, attached hereto as Exhibit H, the proposed structure will not be visible from any public street.

> (3) Section 2003.4 - When an existing nonconforming use has been changed to a conforming or more restrictive use, it shall not be changed back to a nonconforming use or less restrictive use.

The existing nonconforming use has not been changed to a conforming or more restrictive use. The automotive repair shop had been in use since at least 1928 and remained in use and operation until September 2012.

ii. Use Variance Standard for Multifamily Use in an Alley Structure (§2507.1)

Notwithstanding the above, the Applicant, in an abundance of caution, is not amending the Application to remove the requested use variance relief for apartment use and will look to the Board to determine if such relief is necessary. The Applicant can and does meet the undue hardship standard of the use variance test if §2003 does not apply.

As a nonconforming use existing prior to May 12, 1958, the automotive repair shop use may continue pursuant to §2000.4. In addition, on an alley lot, the Zoning Regulations permit a single family dwelling (§2507.1), an artist studio if certain conditions are met (§2507.5), or parking and storage by special exception (§333). As a result of the substantial financial investment required to address the deterioration of the structure and environmental remediation of the site, these and other alternative uses are not financially viable options. *See* Alternative Uses Income Analysis attached hereto as Exhibit I. Subdivision of the Property does not remedy the need for variance relief or allow for a financially feasible project. Each alternative is now addressed in turn.

Use of the Property as one single-family dwelling or flat would not be financially feasible, an undue hardship that is the direct the result of the exceptional condition at the Property. Such a project would require either wasteful demolition or costly renovation of the existing structure, in addition to the environmental remediation required at the Property. Furthermore, a single-family home on a nearly 6,000 square foot lot would not be marketable. Pursuant to the lot area requirement in an R-4 District, the lot could be subdivided into multiple lots for single-family dwellings. This option, however, again would not allow the Applicant to recoup the costs of renovation and remediation required for the Property to be habitable.

Various other alternative uses, including continuation as an automotive repair, artist studio use, automotive storage use, and office use, are also not financially feasible. As indicated by the chart below, and as demonstrated in a more detailed breakdown in Exhibit I, each alternative use would result in a net monthly loss.

USE	TOTAL INVESTMENT	MONTHLY PAYMENT (Mortgage, Taxes, Insurance, Repairs)	YEARLY RENTAL RATE (PER SQ. FT.)	MONTHLY RENT	MANAGEMENT FEE (6%) AND VACANCY RATE (7%)	NET MONTHLY INCOME
Automotive Repair Shop (4000 sf)	$967,000.00	($5,484.88)	$15.00	$5,000.00	($650.00)	**($1,134.88)**
Artist Studio (4000 sf)	$917,000.00	($5,227.13)	$8.00	$2,666.67	($346.67)	**($2,907.13)**
Automobile Storage (15 vehicles)	$917,000.00	($5,227.13)	$150 per vehicle/month	$2,250.00	($292.50)	**($3,269.63)**
Office Use (3000 sf)	$1,167,000.00	($6,515.88)	$25.00	$6,250.00	($812.50)	**($1,078.38)**

Maintaining the structure for automotive use is not financially feasible. Largely due to the purchase price, substantial repairs to the roof and site remediation, and low rental rate, the Applicant would suffer a net monthly loss of $1,134. The Applicant also suffers a net monthly loss if the property is used for an artist studio use ($2,907 loss/month), parking or storage use ($3,269 loss/month), or an office use ($1,078 loss/month).

In this instance, the Applicant has demonstrated that without the requested zoning relief the Property will not generate a fair and reasonable return on investment. It is not simply that using the structure as a matter of right or for other potential uses would produce less of a profit for the Applicant. Rather, *any* renovation and remediation of the existing structure and Property that results in a structure permitted as a matter of right would result in an economically infeasible project. Furthermore, the longstanding, undesirable, existing nonconforming use and substantial liability associated with remediating potential environmental hazards further demonstrate the undue hardship and practical difficulty associated with the exceptional circumstances at the Property.

3. Area Variance from the Height Requirement for an Alley Structure (§2507.4)

Area variance relief is required regarding height on an alley lot. Under §2507.4, the height of an alley structure may not be greater than the distance from the opposite side of the abutting alley to the outside wall of the structure nearest the alley. When all three alleys are considered, the most restrictive allows for a height of 12.4 feet. The automotive repair shop is 18.5 feet tall which may be continued as an existing nonconformity. The Applicant proposes to increase the height of the structure requiring variance relief from §2507.4. Note that the height and number of stories proposed by the Applicant, if not on an alley lot, would be permitted as a matter of right in the R-4 District.

In BZA Case No. 16815, the BZA granted zoning relief from §2507, including §2507.4, as well as §403, §2001.3, and §2101 to allow conversion of a two-story warehouse to a four-story mixed-use structure on an alley lot in the RC/R-5-B District. The approved structure had office and a private club on the first and second story and 12 residential condominiums on the added third and fourth stories. The Board supported its decision with respect to height of the structure based on the large lot size, the presence of multiple abutting alleys rather than one, that the existing nonconforming structure was not suitable for residential use, and testimony from the Fire and emergency Medical Services Department and DDOT.

In this instance, the Applicant has demonstrated similar circumstances to those in BZA Case No. 16815. The Applicant has demonstrated that the lot size is large, that multiple alleys abut the Property rather than one, that the existing nonconforming structure is not suitable for residential use due to damage to the roof and other aspects of the structure and the environmental condition at the property, and that DDOT supports the Pedestrian Plan, Traffic Plan, and Waste Management Plan.

Furthermore, the Applicant has carefully designed the proposed structure to limit any impact on the light and air of neighbors. The 24.8 foot yard on the northern side of the existing structure will be retained. Moreover, the building massing steps back like a wedding cake on all three sides abutting an alley. In this way, the portions greater than one-story have been set back from nearly every property line. *See* Building Height Study, attached hereto as Exhibit J. As demonstrated by the Line of Sight Diagram, the structure will not be visible from any of the surrounding public streets. *See* Exhibit H. Because of solar patterns, and the orientation of the short face of the building facing south, the surrounding properties will continue to have regular and sustained access to direct sunlight and air.

Reducing the height of the project to two stories, by removing the top floor from the proposed structure, is also not financially feasible. Spreading the exorbitant costs of the project, including considerable constructions costs and necessary environmental remediation, over the sale of only three units as opposed to five units is not financially feasible. *See* Profit and Loss Analysis, attached hereto as K. A three-unit structure results in a substantial net loss of $108,121.75 due to the extraordinary costs associated with the exceptional conditions of the Property. Furthermore, unpredictable liability associated with this project makes the endeavor far riskier. A five-unit structure results in a reasonable return relative to the development costs. The net profit is modest at less than an 11% annual return. Furthermore, these estimated returns are potentially inflated because the proforma provides for an optimistically high sale value relative to comparable, non-alley lot two bedroom units. *See* Comparables, attached hereto as Exhibit L. Furthermore, additional practical difficulty exists because, due to existing contamination of the Property as a result of prior use as an auto repair shop, it is not prudent to construct residential units on the 1st floor of the structure. *See* Total Investment Summary, attached hereto as Exhibit F. Thus, strict application of the height requirement would result in a project that is not financially feasible and would impose an undue hardship upon the Applicant.

C. No Substantial Detriment to the Intent, Purpose and Integrity of the Zoning Plan

There will be no substantial detriment to the public good or impairment to the intent, purpose, and integrity of the zone plan by approving the zoning relief. The requested variance is in furtherance of the public good and zoning regulations. The zoning relief will permit renovation of a dilapidated automotive repair shop. An automotive repair shop, which relies upon a significant number of unscheduled daily visitors and the use of combustible chemicals and solvents, is incompatible with a residential district. The Applicant is expending considerable resources to resolve environmental and health related hazards at the Property as a result of the prior use. The office and residential uses proposed by the applicant are far more in keeping with that which was intended for the R-4 District.

The Applicant has also carefully considered how best to manage waste, traffic patterns, and pedestrian friendliness, and safety. As demonstrated in the Waste Management Plan, all garbage containers will be kept within the building or rear yard so as not to impeded circulation of traffic and will be easily serviceable by a commercial waste disposal company form the northwest alley entrance. *See* Exhibit G). The Pedestrian Plan and Traffic Plan will promote safety, improve lighting, and ensure a functional traffic plan. *See* Exhibit G. These plans implement measures such as the installation of light fixtures, a pedestrian zone in the northwest alley, and a crosswalk. By replacing harsh utility pole fixture lighting with more appropriate down-lighting will better control the light for its intended use and prevent disturbance of neighbors. In addition, the Applicant's project will improve the alley conditions including but not limited to spending $40,000 towards replacing and improving the alley surface surrounding the structure. *See* Profit and Loss Analysis, attached hereto as Exhibit K.

Furthermore, the additional residential units help address the well documented shortage of housing in the Washington D.C. area. The Washington metropolitan area will need 700,000 new housing units by 2030, or roughly 36,500 each year. However, if the pace of construction over the last 20 years continues, at roughly 28,000 new housing units per year, the region would be short by nearly ¼ of that required stock.[1] The Office of Planning has indicated a clear goal that alley lots, once dirty, crime-ridden, and forgotten about, are now a key component to the District's planning efforts. *See Alleys: DC's Other Streets Are Attracting Attention*, attached hereto as Exhibit M. Moreover, residents that live in the immediate area have proffered 3 additional letters in support of this application. *See* Additional Neighbor Letters of Support, attached hereto as Exhibit N.

For the reasons stated, the proposed project adequately balances the Zoning Regulations' goals of protecting neighboring properties and modernizing a deteriorating property into a functional, beneficial condition.

VI. RESPONSE TO NEIGHBOR CONCERNS

The Applicant has worked hard to accommodate the concerns expressed by neighboring property owners. One neighbor, whose property abuts the southwest entry/exit to the alley, expressed a concern regarding damage caused by vehicles that pass by. As articulated by the Pedestrian Plan and Traffic Plan, attached hereto as Exhibit G, automobile traffic and noise will be significantly reduced by the change in use of the existing structure. Furthermore, all office traffic will be directed to the 15 foot, Irving Street entry/exit leaving only residential automobile circulation through the smaller alley that is the subject of this neighbor's concern. Further measures are being taken, including installation of traffic mirrors and corner protection bollards to prevent potential damage by passing vehicles and "ped x-ing," "no parking," and "do not block alley" signage to promote safety.

[1] Artemel, Agnes and Sturtevan, Lisa. *Washington's Economic Future Depends on More Housing*. October 17, 2012. Greater Greater Washington. Found at: http://greatergreaterwashington.org/post/16470/washingtons-economic-future-depends-on-more-housing/

Other neighbors have expressed a concern regarding obstruction of views as a result of the height of the proposed structure. The project limits massing near all alleys and provides substantial setbacks of the second and third floors to ensure that there will be little impact to the light and air of neighbors. The Applicant has gone to great lengths to design the project in a manner that has no substantial adverse impact on neighbors in an urban setting.

VII. CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards for variance relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

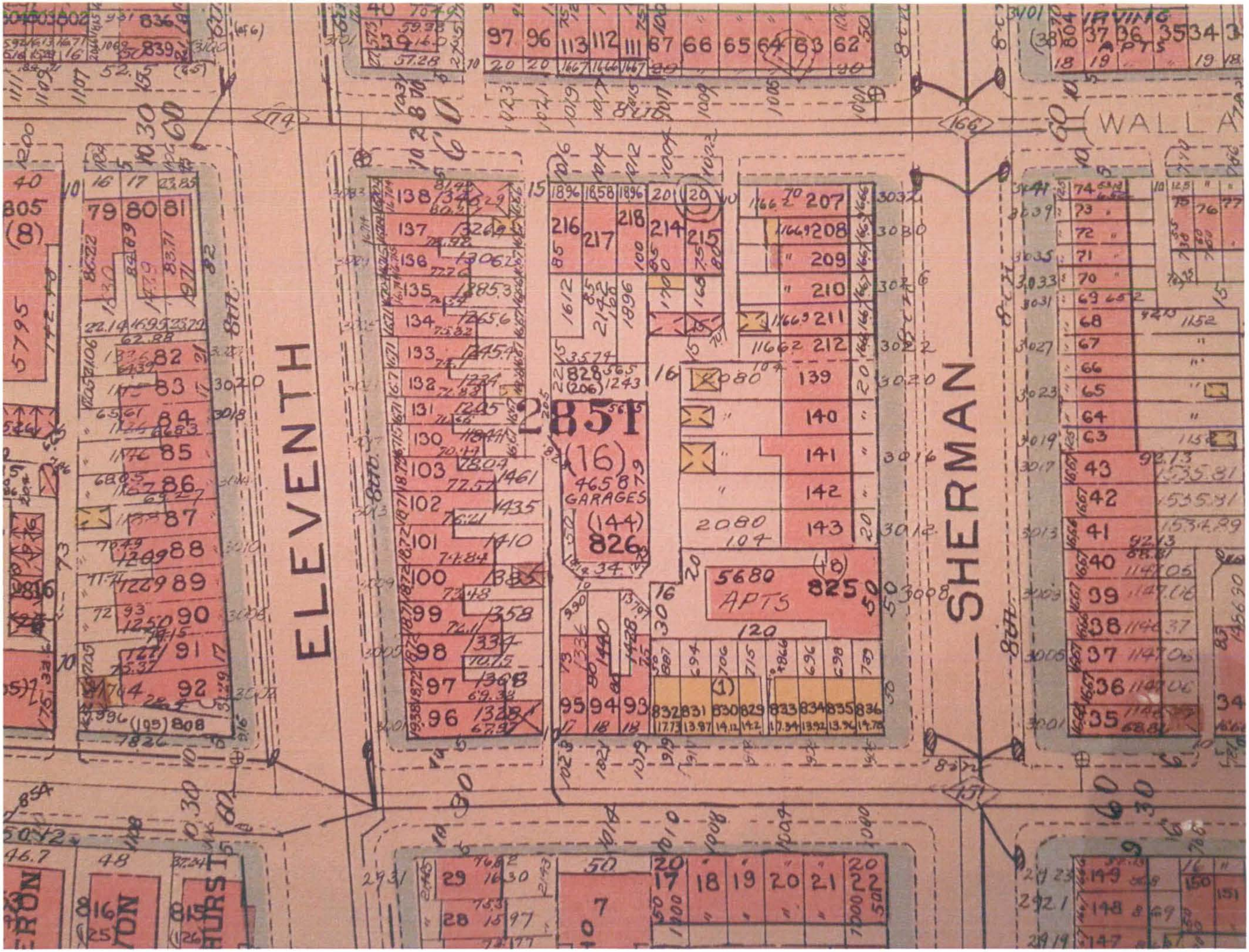
Respectfully submitted

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP

By: ______________________

Meridith H Moldenhauer
1912 Sunderland Place, N.W.
Washington, D.C. 20036
(202) 429-9000

C


ELEVENTH
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IRVING
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GARAGES
APTS

D

NORTON CONSULTING ENGINEERS, LLC

10319 WESTLAKE DRIVE, SUITE #110 BETHESDA, MD 20817

MARYLAND - VIRGINIA - CONNECTICUT - DISTRICT OF COLUMBIA

March 19, 2013

Mr. Greg Gardner
753 Development
753 Fairmont Street NW
Washington dc 20001

Re: 1018 Irving St. NW

Mr. Gardner,

At your request, I visited the above-referenced property to make a visual assessment of conditions of the property as regards the structural integrity of the building for future use. The structure is a one-story, brick building, with slab on-grade. Half the roof on the north side of the structure is wood frame construction, while the southern half is a concrete deck supported by concrete beams.

The condition of the exterior brick walls is primarily, in good condition. There are several locations where there is excessive efflorescing, and grout degradation, on the interior face. This is primarily the result of faulty roof drainage. The exterior surface is in need of re-pointing in many areas, but the walls are structurally sound.

The framed portion of the roof on the north side is in very poor condition due to poor roof maintenance, and the fact that the structure endured a fire several years ago. Many of the rafters are charred, support beams for the rafters deteriorated, and the overall integrity of the roof in this section, structurally unsound.

The concrete deck portion of the roof on the south side, has structural issues. Leaking from the roof has allowed water to migrate through the concrete deck. There are many areas on the interior face of the deck where concrete is spalling off, revealing a severely degraded reinforcing system. In some sections the entire reinforcement assembly is exposed, revealing many square feet of badly damaged reinforcing bars. In some sections of the concrete beams there is also efflorescing and evidence of water migration.

Based on the above observations, it appears that although the walls of the structure are in fair structural condition, both roof assemblies, in their current states, are structurally unsound. The frame roof is so badly damaged, that any thought of remedying it, is not practical. The only real option is to completely remove it. The concrete portion of the roof is also severely damaged. There are processes

NORTONENGINEER@GMAIL.COM
(240) 393 - 3672
REGISTERED PROFESSIONAL ENGINEER

to remedy damaged concrete decks, where the concrete can be chipped away and new bar inserted, but this method is usually employed when there are very small areas of concern. It is costly and only effective in limited applications. The exposed damage to the reinforcing bars of the deck roof is so extensive, that this process of remediation would be highly questionable, as to its efficacy. In addition to its prohibitive cost, it is highly uncertain it could even be employed, depending on the extent of the damaged reinforcing bars. I recommend the removal of both roof systems. From a structural standpoint, as well as a practical one, this is the best approach to ensure the structural integrity of the building. If you have any questions concerning this report, or need further assistance, please call.

Limitations: This report does not address areas of the structure other than those initially referenced. The opinions, conclusions, and recommendations expressed herein are based on information obtained from the owner or the their agent, and from the site evaluation. The site evaluation was limited to those specific areas, and relevant building elements, requested by the owner/ agent which were accessible without removal of finishes (excepting the area noted), destructive testing, or soil excavation/ testing. There is no claim that all conditions were observed. This report does not address areas of the structure other than those observed and noted herein, nor does it provide any warranty for the subject structure.

Very truly yours,

George W. Norton

George W. Norton, PE

E

Photographs of Roof Damage

Photographs of Roof Damage

F

Total Investment Summary

Base Development Costs	
Acquisition	$545,000.00
Closing Costs (Initial & Refinance)	$25,000.00
Holding Costs (12 months)	$60,000.00
Environmental Study	$13,000.00
Architecture Fees	$10,000.00
Legal Expenses	$18,000.00
Building Permits	$2,000.00
SUB-TOTAL	**$673,000.00**

Building Deficiencies	
Masonry Repointing & Repair	$25,000.00
Environmental Cleanup Costs	$25,000.00
Structural Roofing Repairs (Demo & Rebuild)	$65,000.00
Roofing, Gutters & Downspouts	$46,000.00
Exterior Doors & Window Replacement	$13,000.00
Electrical Upgrades (Service & Interior)	$20,000.00
Plumbing Upgrades (Service & Interior)	$50,000.00
SUB-TOTAL	**$244,000.00**

Total Investment

	Base Development Costs	Building Deficiencies	Additional Interior Fit-out	TOTAL
Automotive Repair Shop (4000 sf)	$673,000.00	$244,000.00	$50,000.00	**$967,000.00**
Artist Studio (4000sf)	$673,000.00	$244,000.00	$0.00	**$917,000.00**
Automobile Storage Use (15 vehicles)	$673,000.00	$244,000.00	$0.00	**$917,000.00**
Office Use (3000 sf)	$673,000.00	$244,000.00	$250,000.00	**$1,167,000.00**

G

THOMPSON LOFTS
1018 IRVING STREET NW (REAR)
WASHINGTON, DC 20010

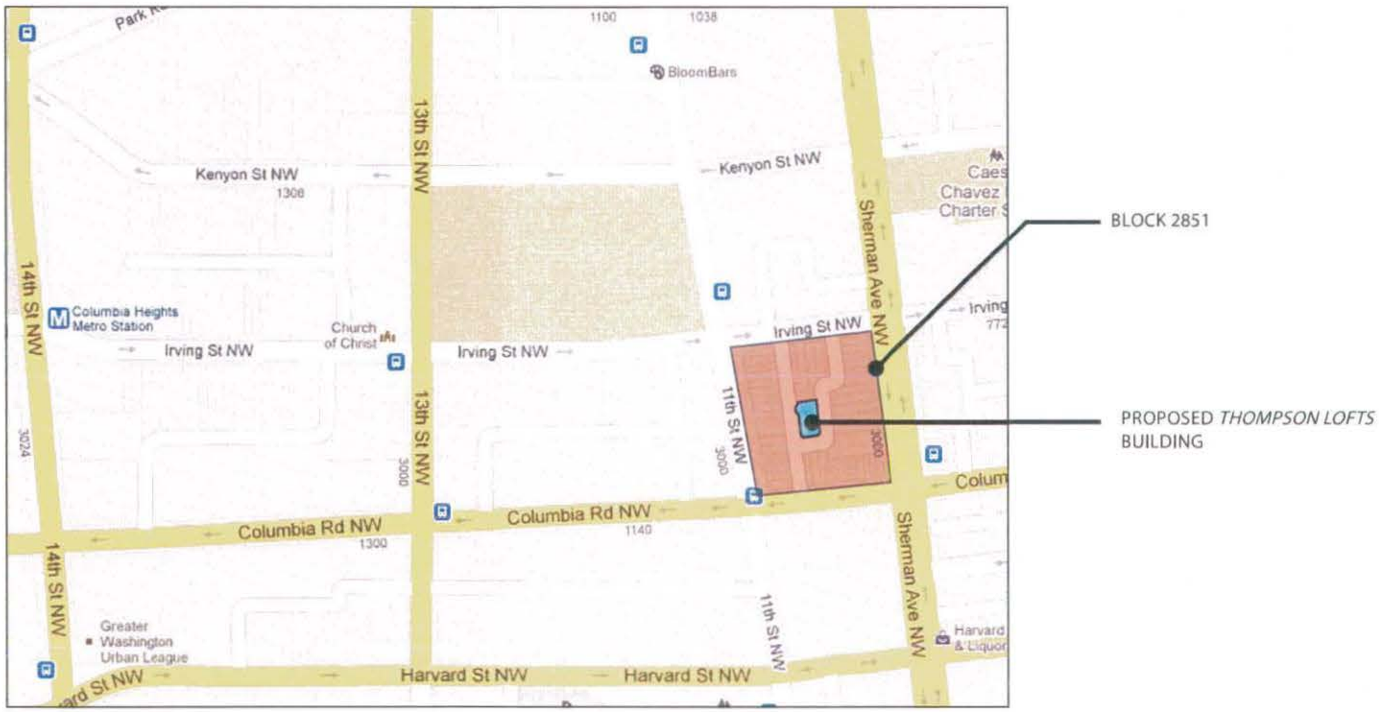

FIGURE 1: VICINITY MAP

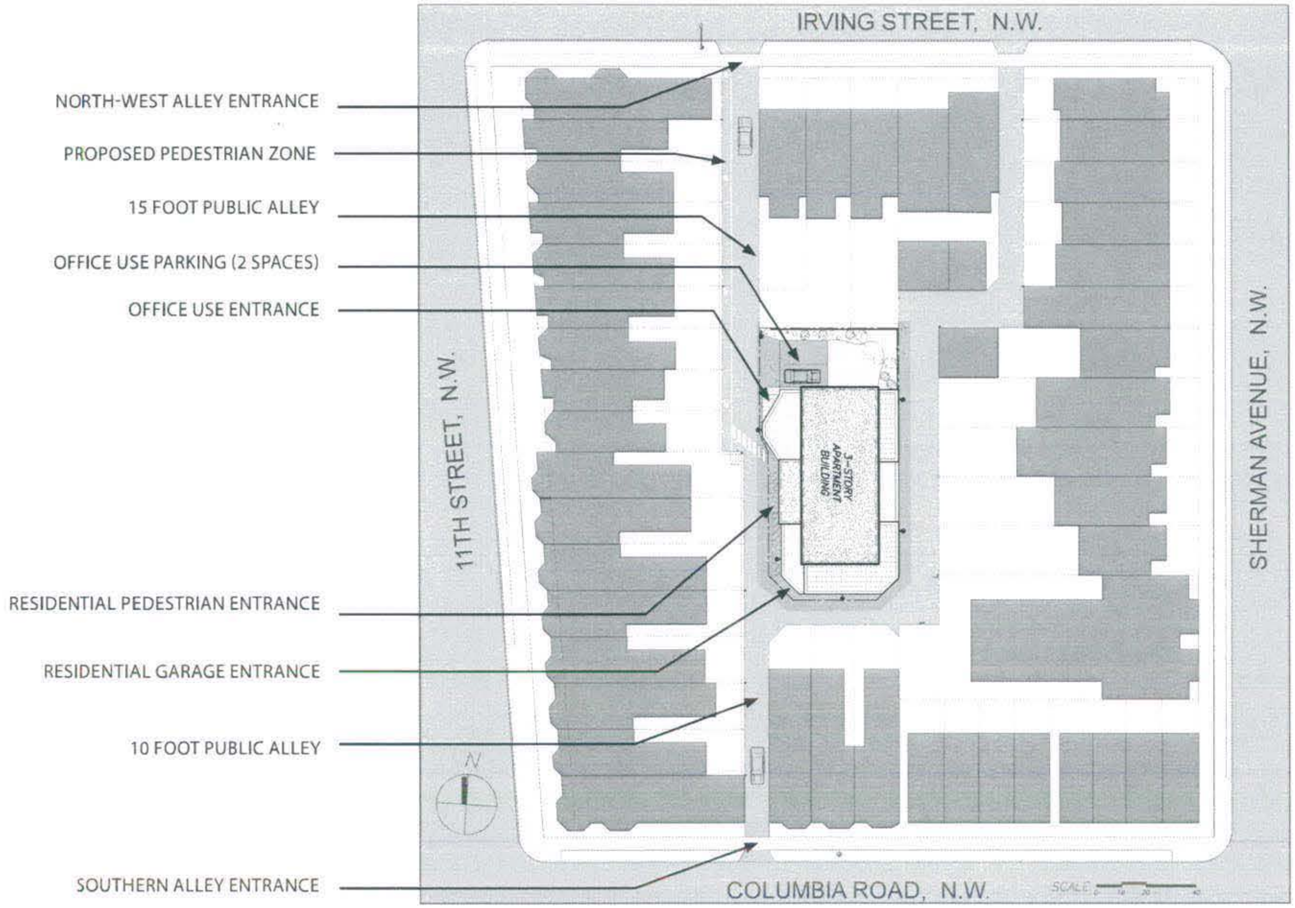

FIGURE 2: PROPOSED BLOCK PLAN

GENERAL DESCRIPTION

We are proposing a mixed-use building with 5 condominium units and an office on an alley lot. In order to ensure the safety of pedestrians in the alley where vehicles are also present, we have established an organizational plan for safe travel pathways.

The main entrance to the building, for both office and residential, will be located on the western side of the building, abutting the alley that runs continuous through the block. This western alley runs North to South, and has entrances on both Irving Street NW and Columbia Road NW. This alley is the easiest to navigate by vehicle, and the proposed building can be viewed from both the North and South entrances of this alleyway. Therefore we are focusing our circulation into and out of the building through this portion of alley. This is also the portion of the alley where most of our improvements are being directed.

The entrance from Irving Street NW is a 15ft wide alley, and is contained by an end unit row house to the east, and a 4-5ft high retaining wall on the property lines to the west. The Columbia Road NW entrance has a 10ft wide alley and is bound by an end unit row house to the east, and an accessory garage to the west. The alley is not straight, but instead has a slight shift in the middle of the block, adjacent to the proposed building. This shift is maneuverable by car.

PEDESTRIAN PLAN

We are proposing four specific measures that we will take to ensure pedestrian safety:

1) ADD PEDESTRIAN ZONE IN NORTH-WEST ALLEY:
We propose to add a white stripe to designate foot traffic in the alley. This stripe will be placed 4ft away from the west side of the 15ft alley that leads from Irving Street NW to the middle of the block. Pedestrian symbols will be painted within this striped area on the alley surface beginning at the alley entrance at Irving Street NW, and then at a 40-50 ft spacing. The striping is intended to make vehicles aware that there can be pedestrians present in the public alley. It would clearly define a 4ft zone for the pedestrians without physically reducing the width of the alley for larger vehicles like utility or emergency vehicles, as a raised sidewalk would do.

With marking a 4ft section for pedestrians, the remaining 11ft of public alley will be sufficient for regular car travel.

The section marked for the pedestrians is adjacent to the retaining walls located behind the row houses that front onto 11th street NW. Most of these houses have either steps leading from their rear yards to the alley or garages that open onto the alley. These houses will also benefit from having this designated pedestrian zone as they enter and exit their properties.

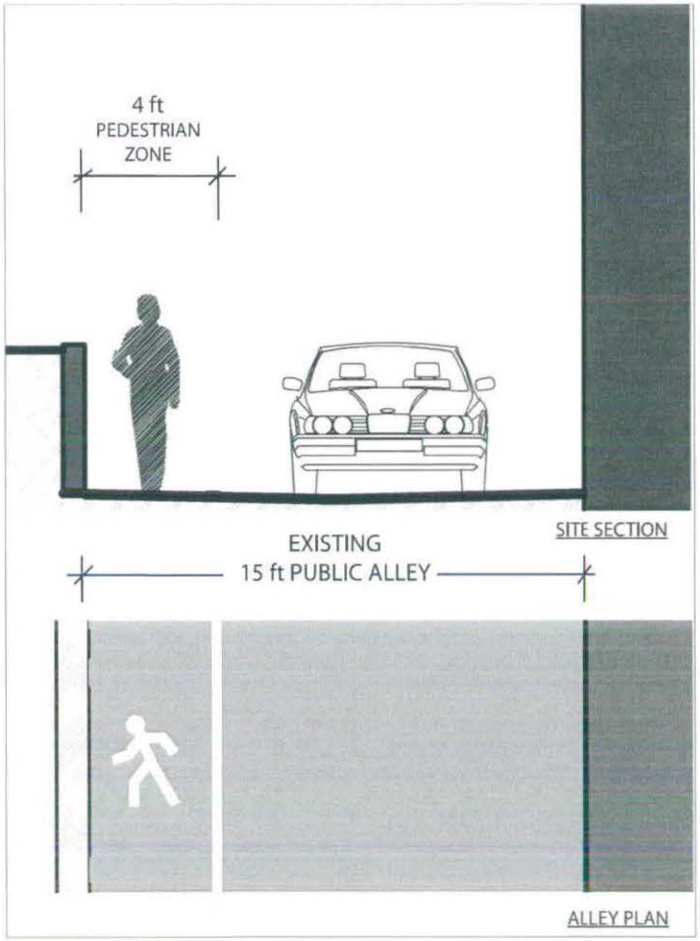

FIGURE 4: PEDESTRIAN ZONE DETAIL

2) IMPROVE ALLEY LIGHTING:

The current alley lighting consists of three pole mounted fixtures inside the block, along the public alley. This lighting is uneven and, inadvertently directs light into the surrounding yards and houses. We propose to remove the existing pole light fixtures and install lighting on all three sides of our building that faces the public alley, as well as one pole mounted light in our outdoor parking area for a total of six (6) new fixtures. These lights will increase the lighting levels in the public alley to the requirements of a residential sidewalk.

The new fixtures have been selected and located to limit the stray lighting of the surrounding neighbors rear yard. The proposed lighting will be an improvement on the current light levels, and will greatly reduce the light pollution to the surrounding homes and properties. A full Photometric Study was prepared to outline and document the current lighting as well as the proposed lighting levels (Figures 5 & 6).

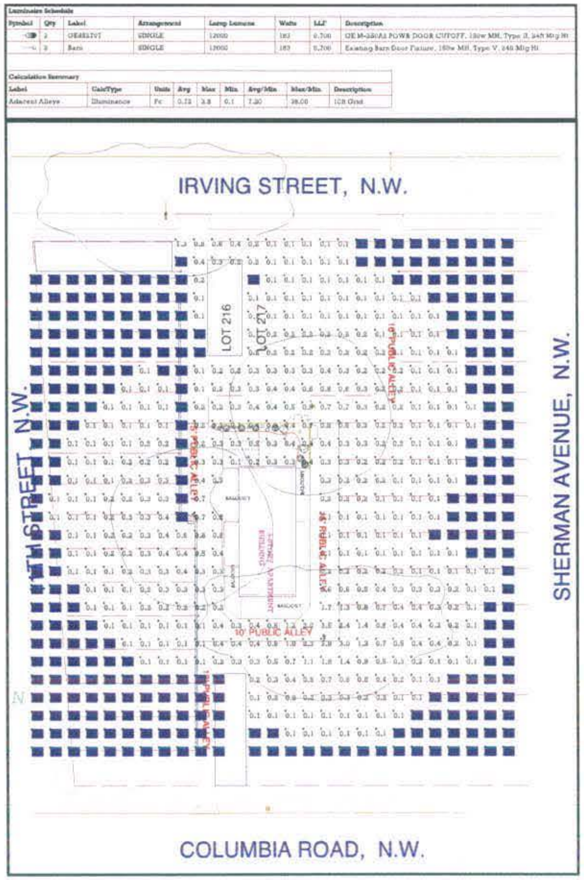

FIGURE 5:
LIGHTING LEVELS FROM EXISTING LIGHT FIXTURES

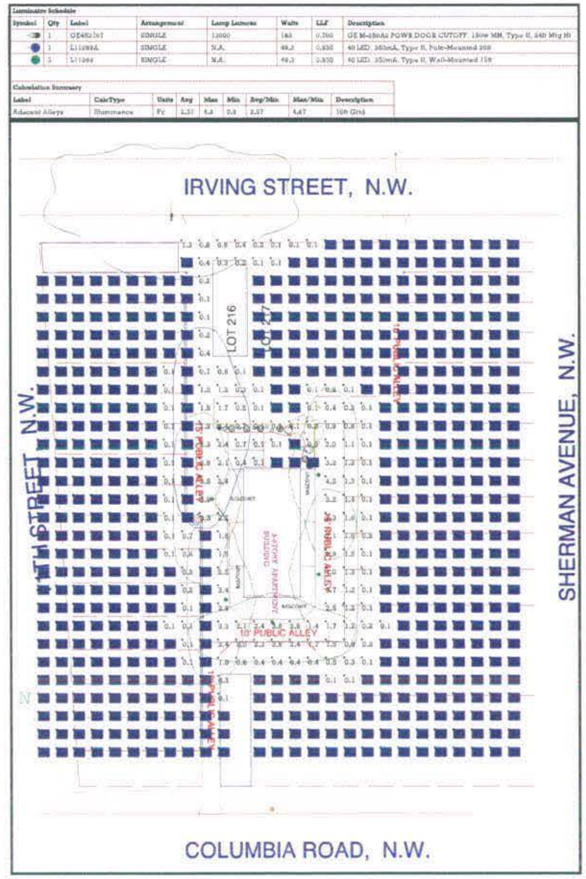

FIGURE 6:
LIGHTING LEVELS FROM PROPOSED LIGHT FIXTURES

FIGURE 7:
PHILLIPS CX6 - PENDANT & POLE MOUNTED FIXTURE

3) CREATE RAISED SIDEWALK AT OFFICE ENTRANCE:

We propose to install a raised sidewalk, located completely within the bounds of the alley property, from the office parking area to the office entrance. The sidewalk will be raised 6" higher than the alley surface, and will contain an ADA compliant ramp on the northern edge.

This raised sidewalk will differentiate the pedestrian area from the public alley and provide for a safe means of egress into and out of the office entrance.

4) ADD CROSSWALK AT BUILDING ENTRANCE:

Walking down the western side of the alley provides the best site line to oncoming vehicles from the south, and is preferred to the eastern side of the alley so as not to encourage pedestrians next to the side windows of the row house located at 1016 Irving Street NW.

At the end of the pedestrian zone, we propose to add striping for a pedestrian crosswalk to the building entrance. When walking down the western side of the alley, it will be necessary to cross the alley to enter into the building. We will mark a 5ft wide crosswalk that will connect the building entrance to the pedestrian zone.

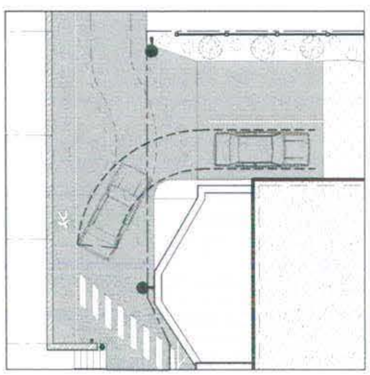

FIGURE 8:
OFFICE PARKING SEQUENCE

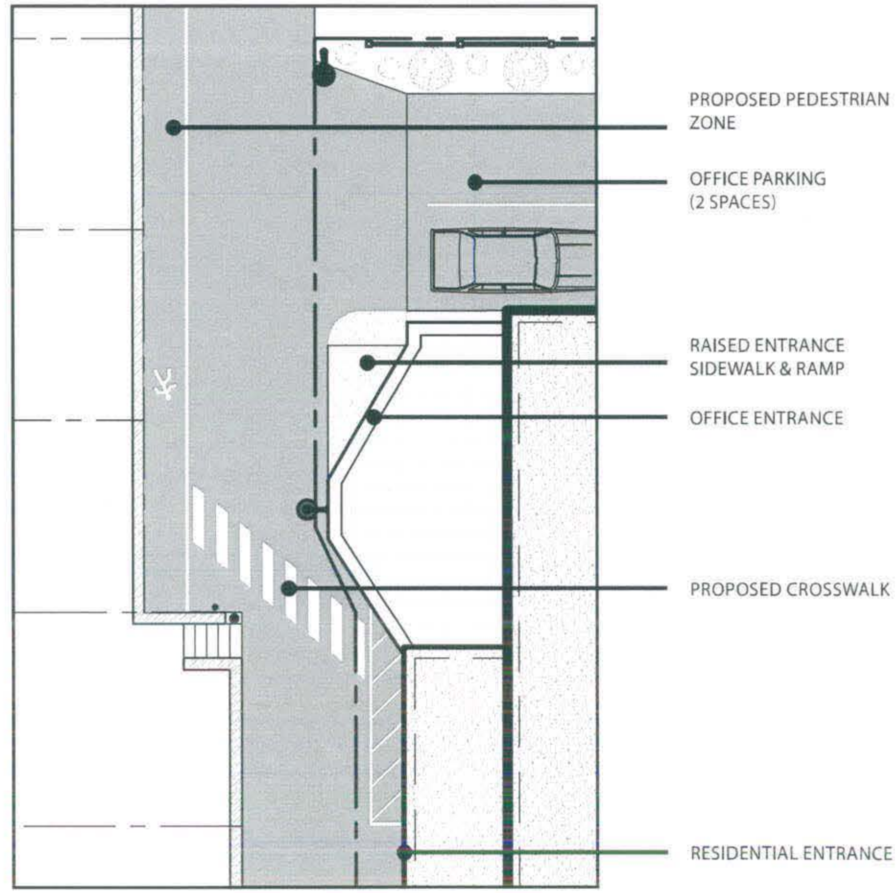

FIGURE 9: BUILDING ENTRANCE DETAIL

TRAFFIC PLAN

In converting an existing building from an active automotive repair shop to a 5 unit apartment building and architecture office, overall automobile traffic into and out of the alley will be reduced from a regular stream of customers to tenants. However, in order to maximize safety for pedestrians and vehicles entering and exiting the alleys, we propose some upgrades to the public space.

Our proposed upgrades to the alleys include:

1) ADDITIONAL SIGNAGE AT ALLEY EXITS:
We would like permission to install signage at the two primary alley exits to remind vehicles that they are approaching a pedestrian sidewalk (see Figure 10). These signs will be approximately 18" wide x 24" high and mounted to the existing utility poles nearest the alley exists.

2) INSTALL TRAFFIC MIRRORS AT ALLEY EXITS:
We propose to install a traffic mirror onto the existing street light pole at the NW alley exit onto Irving Street NW. Currently, the existing row house to the east has landscaping that creates a visual barrier from a full panorama of pedestrians approaching on the sidewalk. An 18" traffic mirror mounted at a height of 8ft, will show to drivers any pedestrians approaching from the east.

We also are committed to placing a traffic mirror at the Columbia Road NW exit, but request assistance from DDOT on the placement of this mirror.

FIGURE 10:
18" x 24" PEDESTRIAN CROSSING SIGN

FIGURE 11:
18" TRAFFIC MIRROR

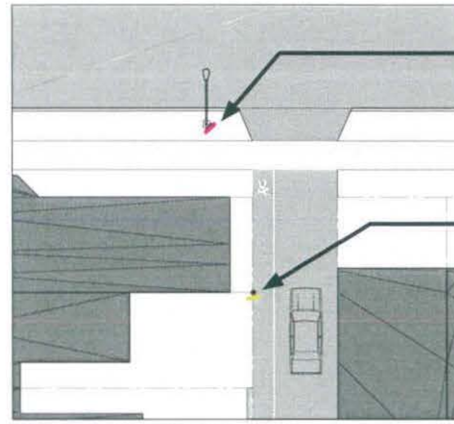

FIGURE 12: NORTHWEST ALLEY EN-

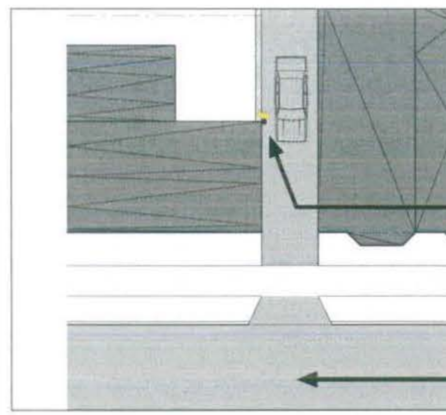

FIGURE 13: SOUTHERN ALLEY ENTRANCE

3) INSTALL PARKING SIGNS:

In order to eliminate parking in the alley, we propose to affix "No Parking" signage to the building and to install striping at the 5ft strip of property that abuts the alley to the west.

The "No Parking" signs (see Figure 14) would be approximately 12" wide x 18" high and would be affixed directly to the building at a height between 4-5 ft. A total of 7 signs will be placed on the three sides of the building that front onto alleys and will be spaced evenly around the building.

There is a 5ft strip of open pavement between the face of the building and the property line abutting the alley. This is the location of the pedestrian entrance to the residential units. This strip of property affectively functions as a wider alley. We will add striping to this section to include a continuous stripe running north to south at the property line, and a hatch pattern from the line to the building face.

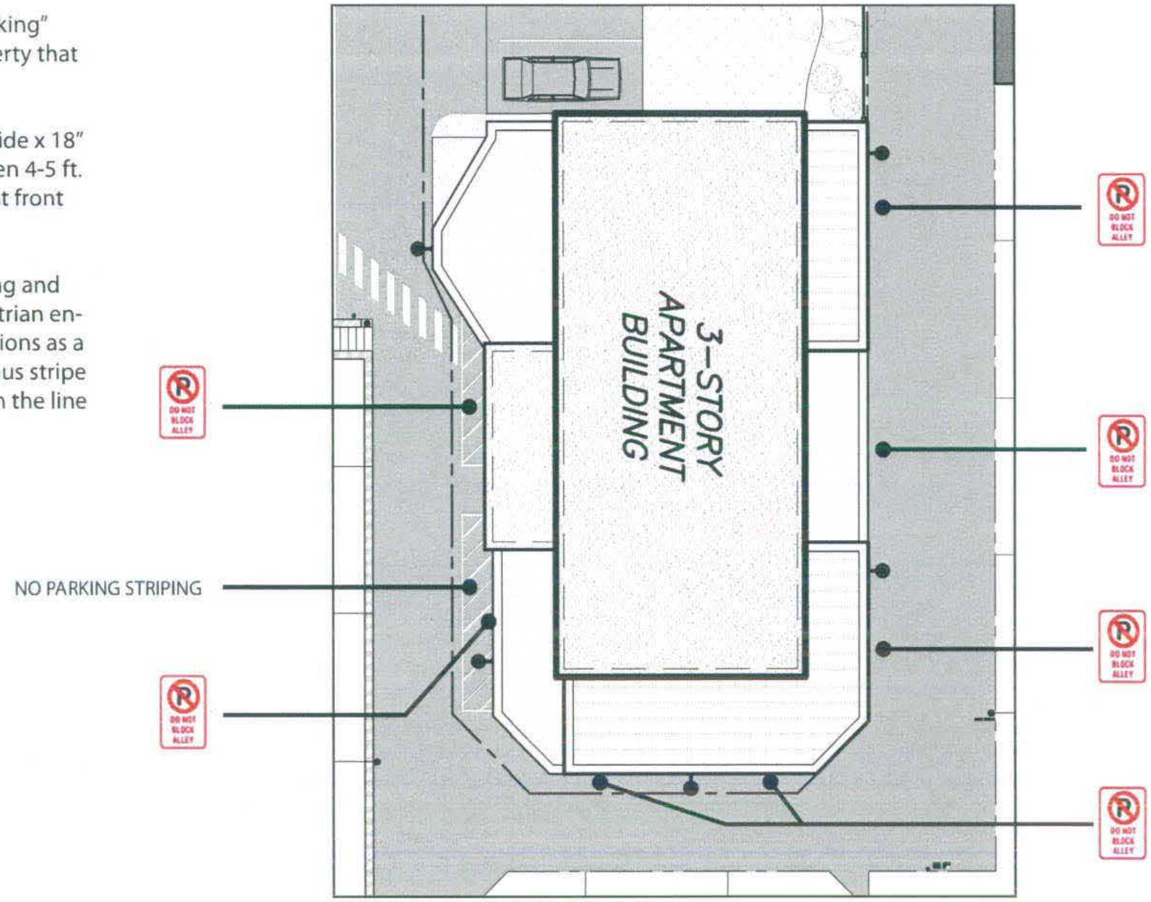

FIGURE 15: PARKING CONTROL PLAN

FIGURE 14:
12" x 18" NO PARKING SIGN

4) BUILDING PROTECTION:
We plan to install metal corner bollards, that mimic the historic torpedo corner stone, at each corner of our building that is exposed to the public alley. This style of protection minimizes intrusion into public space, and is very effective in keeping a vehicle away from a building by directing the vehicles tire away from the corner.

We will offer to install this same protection to other property owners on the block for any masonry corners exposed to public space. 1016 Irving Street NW, 3001 11th street NW and 1023 Columbia Road NW would certainly benefit from this type of building protection.

FIGURE 16:
CORNER PROTECTION BOLLARD

WASTE MANAGEMENT PLAN

As the building will contain more than 3 residential units, the garbage and recycling collection will be handled by a private service. Our building is located mid-block with access via alleys that are either 15ft or 10 ft in width. Currently, public and private garbage trucks do not drive through the alleys. The District's DPW trucks pick up residential garbage from the front of all of the surrounding residents.

We will store all of our garbage and recycling in roll-out containers inside the building in the parking garage area. A separate room will be dedicated to these containers, and an exterior garage door located on the west elevation of the building will allow access to the containers for collection. The cans will be rolled to the main street (either Irving Street NW or Columbia Road NW) by the collection service, emptied, and then immediately placed back into the trash room of the building.

Garbage and recycling will be picked up 2 days a week from the building. All pickups will be after 9:30 am to avoid conflicts with rush hour traffic.

NOTE: There is currently another apartment building on this block that is also serviced 2 days a week by a private collection service that rolls cans to the street. We have spoken with their waste removal service as well as a second company. A proposal for the outlined service is attached.

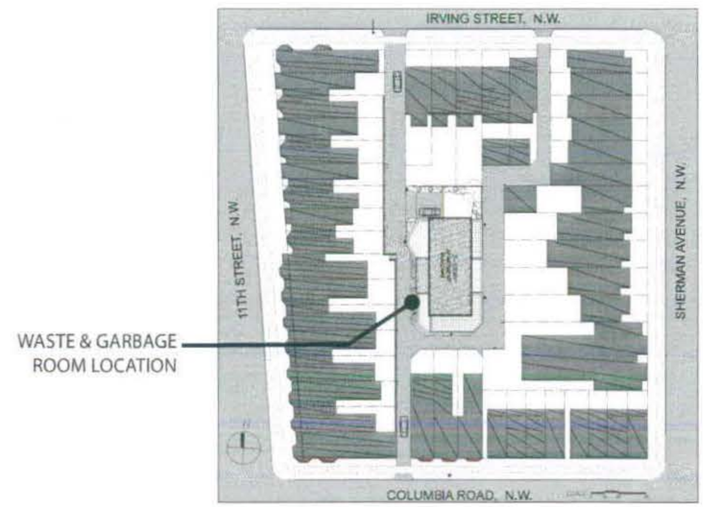

FIGURE 17: SITE PLAN

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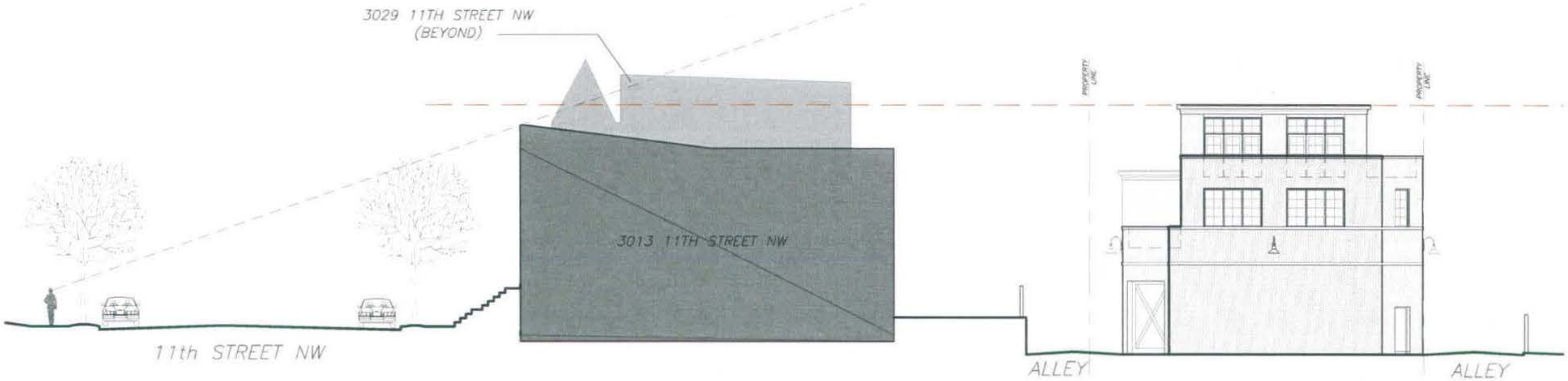
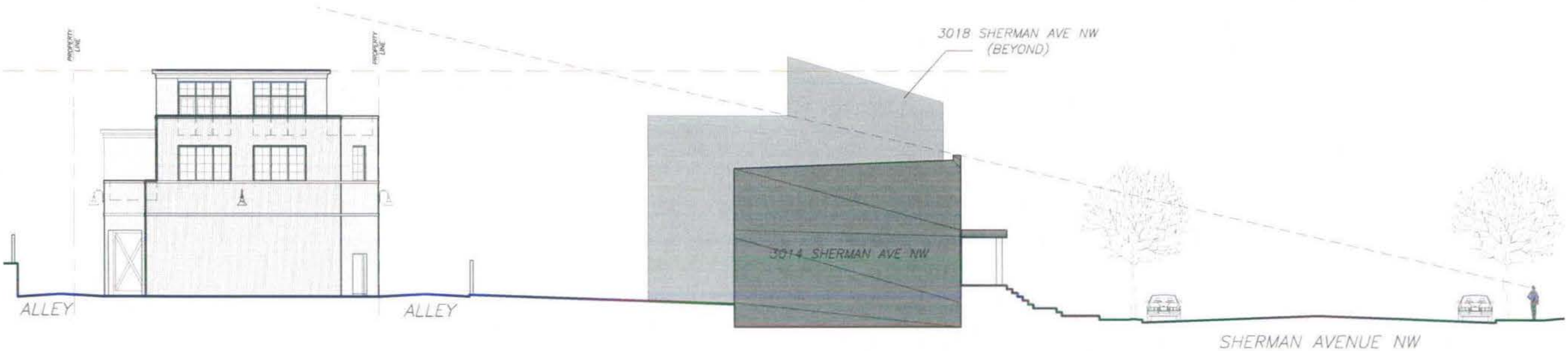
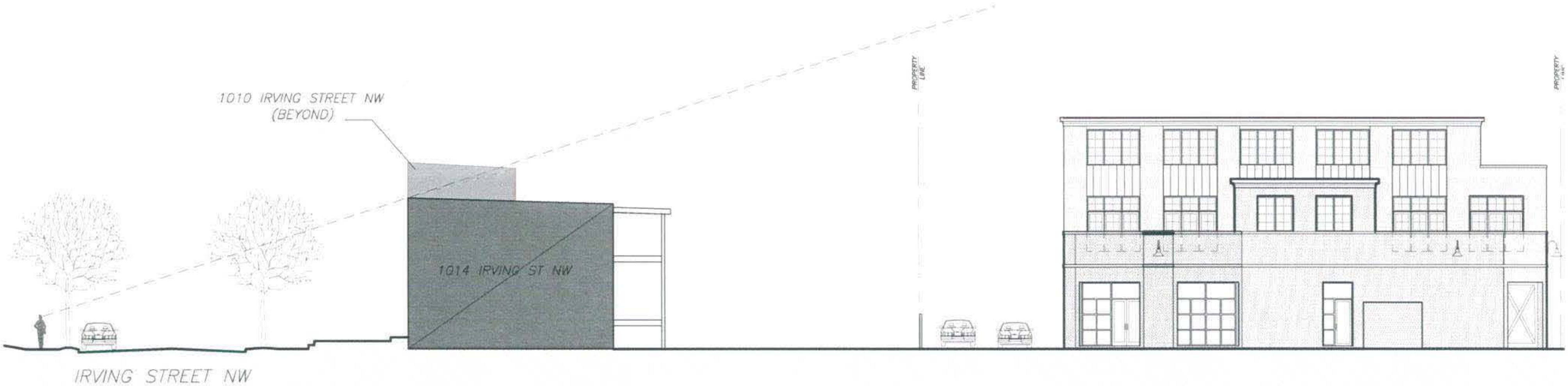


VIEW FROM IRVING STREET NW (western sidewalk)

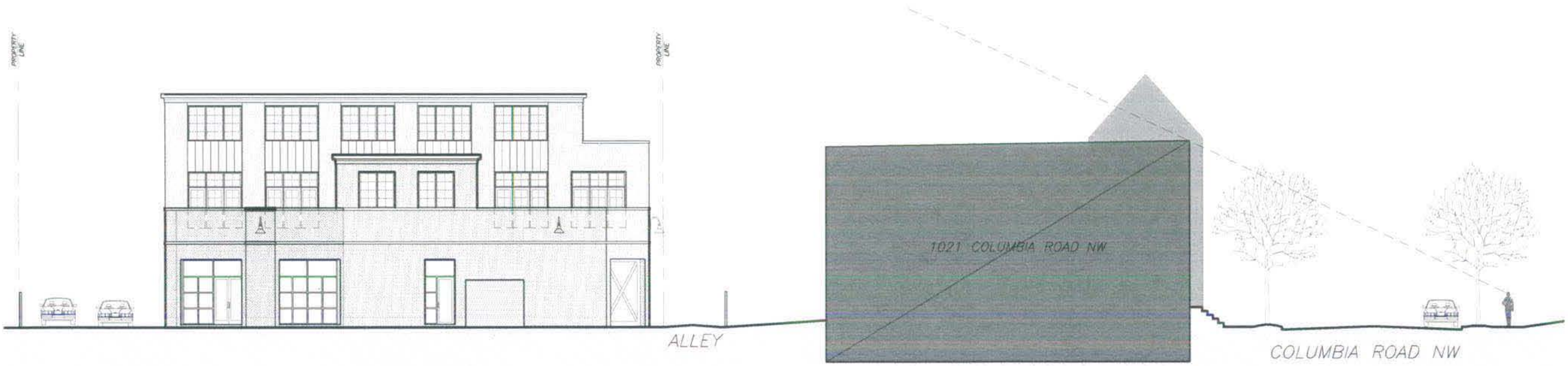


VIEW FROM SHERMAN AVENUE NW (eastern sidewalk)

	date	scale	title	sheet number
SEVENFIVETHREE DEVELOPMENT 753 Fairmont Street NW - Washington, DC 20001 - 202.421.6776 www.sevenfivethree.com	21 MARCH 2013	1/16" = 1'-0"	LINE OF SITE DIAGRAMS	A5.1



VIEW FROM IRVING STREET NW (northern sidewalk)



VIEW FROM COLUMBIA ROAD NW (southern sidewalk)

SEVENFIVETHREE DEVELOPMENT
753 Fairmont Street NW - Washington, DC 20001 - 202.421.6776
www.sevenfivethree.com

date: 21 MARCH 2013

scale: 1/16" = 1'-0"

title: LINE OF SITE DIAGRAMS

sheet number: A5.2

I

AUTOMOTIVE REPAIR SHOP USE INCOME ANALYSIS

19 March 2013

1018 Irving Street NW
Washington DC 20010

ASSUMPTIONS

Total Investment	$	967,000.00	*See Exhibit F
Equity Down Payment		20%	
Leasable Square Footage		4000 SF	
Leasing Rate	$	15.00 per SF/yr	
Interest Rate		4.50%	
Payments per year		12 month	
Loan Term		25 years	

CASH FLOW ANALYSIS

		MONTHLY		YEARLY
Mortgage Payment	$	(4,299.92)	$	(51,599.04)
Property Taxes	$	(684.96)	$	(8,219.50)
Property Insurance	$	(333.33)	$	(4,000.00)
General Landloard Repairs	$	(166.67)	$	(2,000.00)
Total Monthly Responsibility	$	(5,484.88)		
Rental Income	$	5,000.00	$	60,000.00
Net Monthly Responsibility	$	(484.88)		
Mgt Fee (6%)	$	(300.00)		
Vacancy (7%)	$	(350.00)		
Monthly Income	$	(1,134.88) =		LOSS per month

ARTIST STUDIO USE INCOME ANALYSIS

19 March 2013

1018 Irving Street NW
Washington DC 20010

ASSUMPTIONS

Total Investment	$	917,000.00		*See Exhibit F
Equity Down Payment		20%		
Leasable Square Footage		4000	SF	
Leasing Rate	$	8.00	per SF/yr	
Interest Rate		4.50%		
Payments per year		12	month	
Loan Term		25	years	

CASH FLOW ANALYSIS

		MONTHLY		YEARLY
Mortgage Payment	$	(4,077.59)	$	(48,931.04)
Property Taxes	$	(649.54)	$	(7,794.50)
Property Insurance	$	(333.33)	$	(4,000.00)
General Landloard Repairs	$	(166.67)	$	(2,000.00)
Total Monthly Responsibility	$	(5,227.13)		
Rental Income	$	2,666.67	$	32,000.00
Net Monthly Responsibility	$	(2,560.46)		
Mgt Fee (6%)	$	(160.00)		
Vacancy (7%)	$	(186.67)		
Monthly Income	$	(2,907.13) =		LOSS per month

AUTOMOBILE STORAGE USE INCOME ANALYSIS

19 March 2013

1018 Irving Street NW
Washington DC 20010

ASSUMPTIONS

Total Investment	$	917,000.00	*See Exhibit F
Equity Down Payment		20%	
Leasable Square Footage		4000 SF	
Leasing Rate	$	6.75 per SF/yr (15 vehicles @$150/vehicle per month)	
Interest Rate		4.50%	
Payments per year		12 month	
Loan Term		25 years	

CASH FLOW ANALYSIS

		MONTHLY		YEARLY
Mortgage Payment	$	(4,077.59)	$	(48,931.04)
Property Taxes	$	(649.54)	$	(7,794.50)
Property Insurance	$	(333.33)	$	(4,000.00)
General Landloard Repairs	$	(166.67)	$	(2,000.00)
Total Monthly Responsibility	$	(5,227.13)		
Rental Income	$	2,250.00	$	27,000.00
Net Monthly Responsibility	$	(2,977.13)		
Mgt Fee (6%)	$	(135.00)		
Vacancy (7%)	$	(157.50)		
Monthly Income	$	(3,269.63) =		LOSS per month

OFFICE USE INCOME ANALYSIS

19 March 2013

1018 Irving Street NW
Washington DC 20010

ASSUMPTIONS

Total Investment	$	1,167,000.00		*See Exhibit F
Equity Down Payment		20%		
Leasable Square Footage		3000	SF *+ Parking	
Leasing Rate	$	25.00	per SF/yr	
Interest Rate		4.50%		
Payments per year		12	month	
Loan Term		25	years	

CASH FLOW ANALYSIS

		MONTHLY		YEARLY
Mortgage Payment	$	(5,189.25)	$	(62,271.02)
Property Taxes	$	(826.63)	$	(9,919.50)
Property Insurance	$	(333.33)	$	(4,000.00)
General Landloard Repairs	$	(166.67)	$	(2,000.00)
Total Monthly Responsibility	$	(6,515.88)		
Rental Income	$	6,250.00	$	75,000.00
Net Monthly Responsibility	$	(265.88)		
Mgt Fee (6%)	$	(375.00)		
Vacancy (7%)	$	(437.50)		
Monthly Income	$	(1,078.38)	=	LOSS per month

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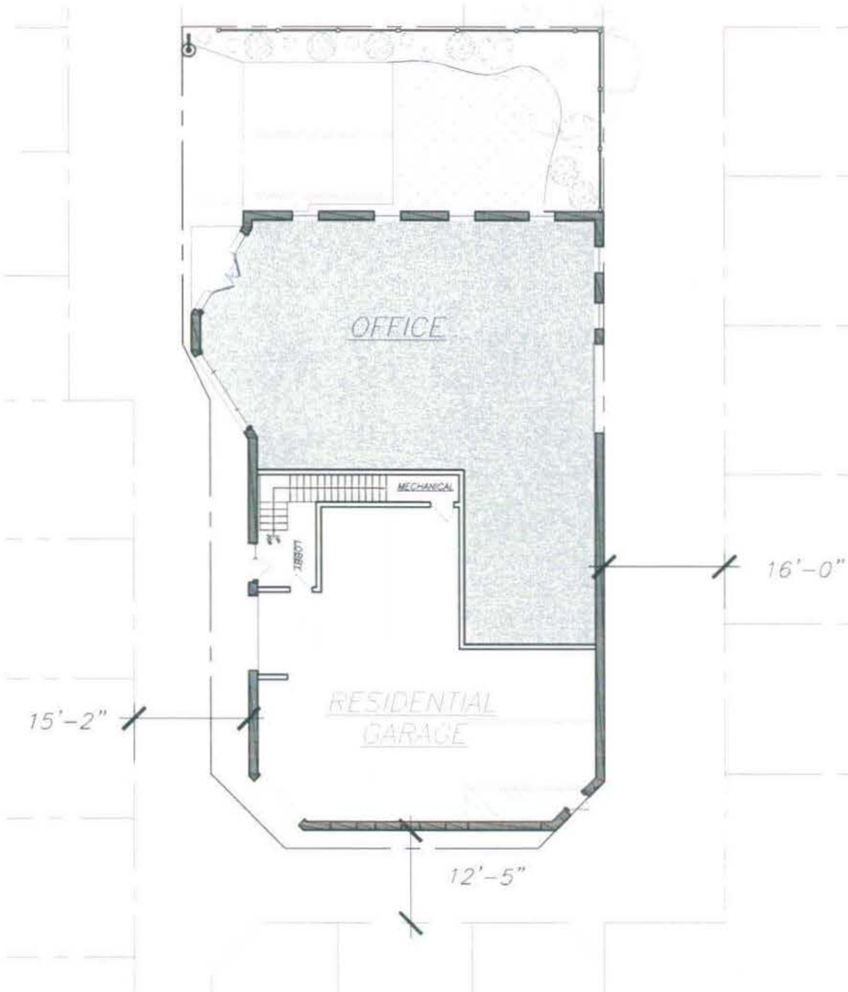
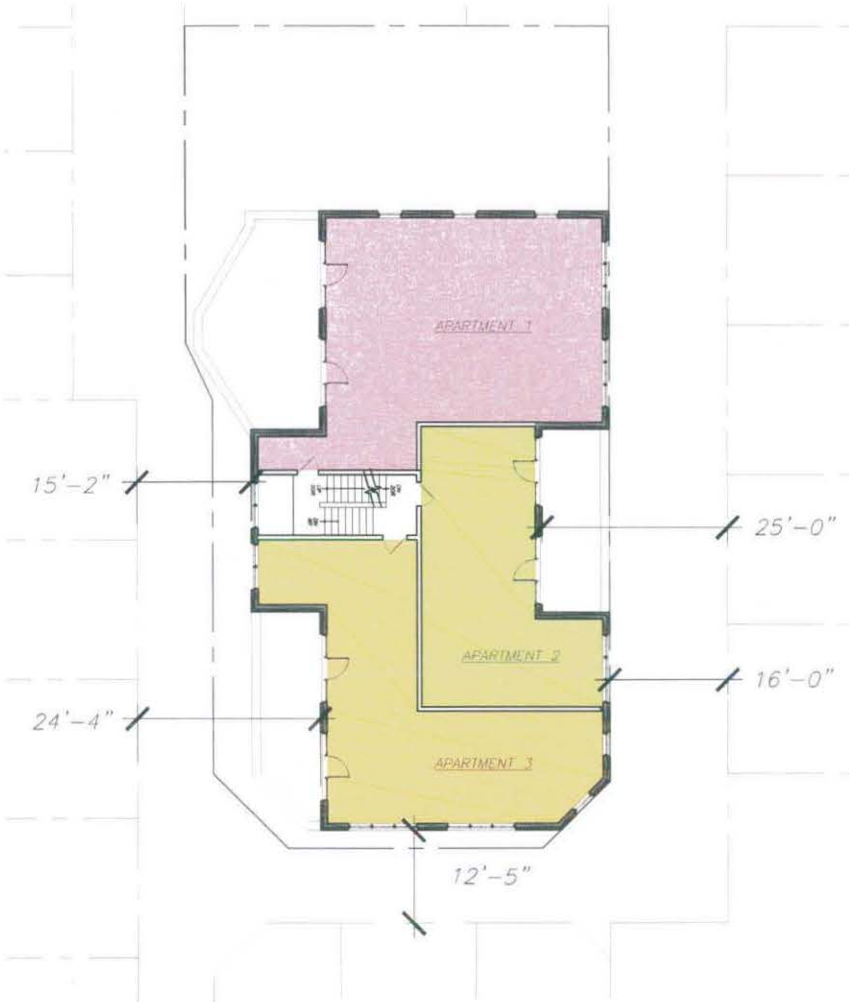


SITE PLAN - FIRST FLOOR

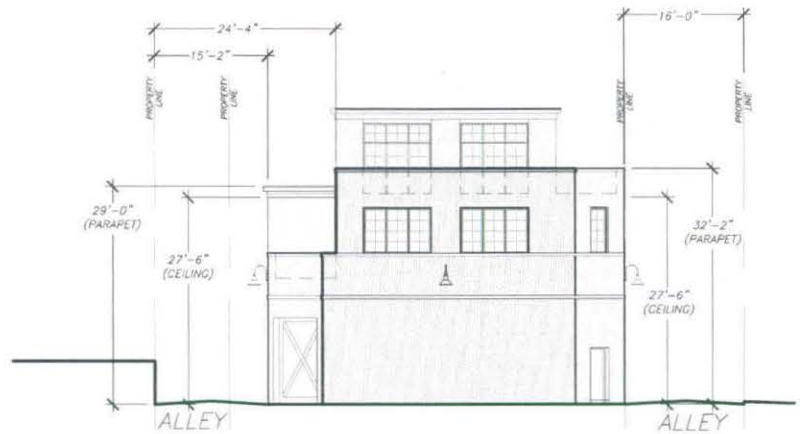
FIRST FLOOR SETBACK (southern view)

FIRST FLOOR SETBACK (western view)

SEVENFIVETHREE DEVELOPMENT 753 Fairmont Street NW - Washington, DC 20001 - 202.421.6776 www.sevenfivethree.com	date 21 MARCH 2013	scale 1/16" = 1'-0"	title BUILDING HEIGHT STUDY 1st FLOOR	sheet number **A6.1**



SITE PLAN - SECOND FLOOR

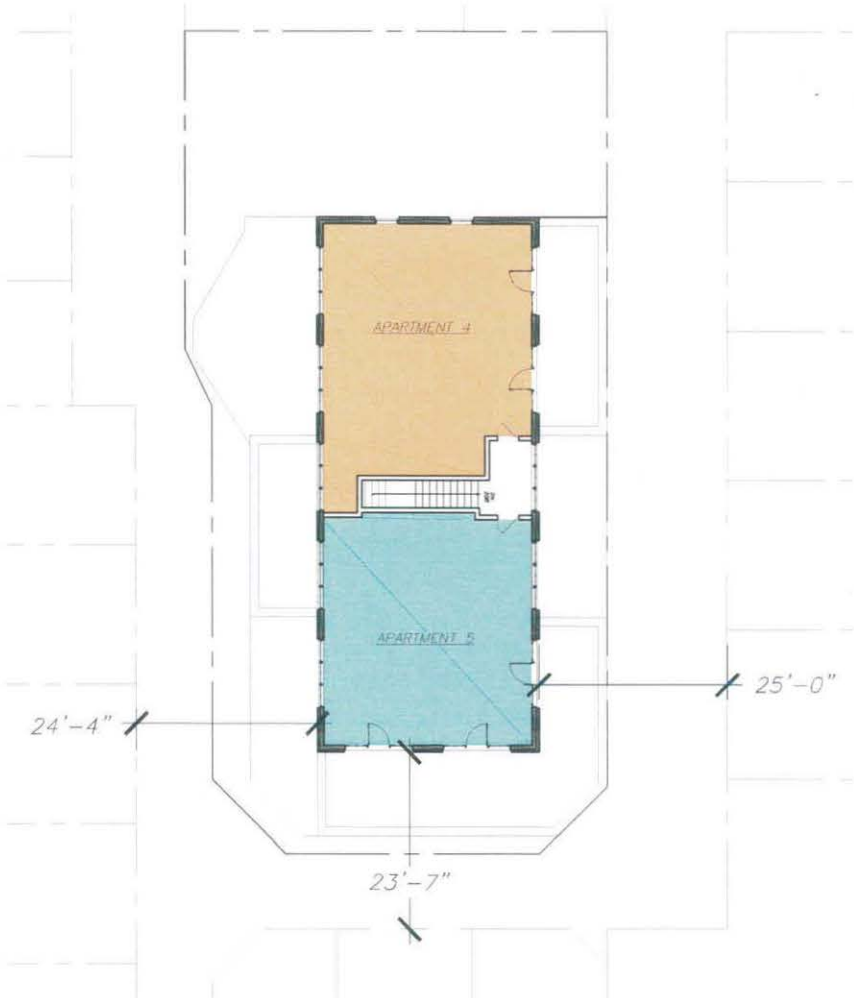


SECOND FLOOR SETBACK (southern view)

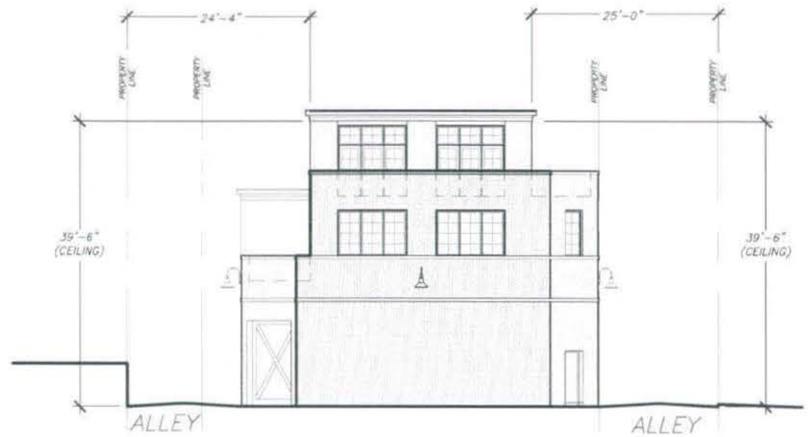
SECOND FLOOR SETBACK (western view)

SEVENFIVETHREE DEVELOPMENT
753 Fairmont Street NW - Washington, DC 20001 - 202.421.6776
www.sevenfivethree.com

date	scale	title	sheet number
21 MARCH 2013	1/16" = 1'-0"	BUILDING HEIGHT STUDY 2nd FLOOR	A6.2



SITE PLAN - THIRD FLOOR



THIRD FLOOR SETBACK (southern view)

THIRD FLOOR SETBACK (western view)

SEVENFIVETHREE DEVELOPMENT
753 Fairmont Street NW - Washington, DC 20001 - 202.421.6776
www.sevenfivethree.com

date	scale	title	sheet number
21 MARCH 2013	1/16" = 1'-0"	BUILDING HEIGHT STUDY 3rd FLOOR	A6.3

K

THOMPSON LOFTS

PROFIT & LOSS ANALYSIS - 5 UNITS

3-Stories
1018 Irving Street NW
Washington, DC 20010

ACQUISITION COSTS

Purchase Price		$545,000.00
Initial Closing Costs		$11,093.85
	TOTAL	**$556,093.85**

DEVELOPMENT COSTS (HARD & SOFT)

	TOTAL	**$1,927,848.17**	*See Construction Budget

HOLDING COSTS (18 MONTHS)

			MONTHLY	TOTAL	
Interest Payment (Commercial Loan)			$8,538.55	$102,462.60	*Commercial loan term less 6 months holding
Interest Payment (Private Equity)			$4,139.90	$74,518.20	
Property Taxes ($4632.50/yr)			$386.04	$6,948.72	
Builders Risk Insurance ($3000/yr)			$250.00	$4,500.00	
		TOTAL	$13,314.49	**$188,429.52**	

GROSS SALES

		SIZE (SQ. FT.)	PRICE/SQ. FT.	SALE PRICE
Ground Level (Warehouse)		2660	$263.16	$700,000.00
Unit 201 (2 bd/2bath)		1125	$444.44	$500,000.00
Unit 202 (2 bd/2 bath)		980	$484.69	$475,000.00
Unit 203 (2 bd/2bath)		1230	$447.15	$550,000.00
Unit 301 (2 bd/2 bath)		875	$457.14	$400,000.00
Unit 302 (2 bd/2 bath)		850	$529.41	$450,000.00
	TOTAL	7720	$398.32	**$3,075,000.00**

SALES COMMISSION + TRANSFER TAX

	TOTAL	**$198,337.50**

PROFITABILITY ANALYSIS

Acquisition Costs		($556,093.85)
Development Costs (Hard & Soft)		($1,927,848.17)
Holding Costs		($188,429.52)
Gross Sales		$3,075,000.00
Sales Commission + Transfer Tax		($198,337.50)
	NET PROFIT	**$204,290.96**

THOMPSON LOFTS

PROFIT & LOSS ANALYSIS - 3 UNITS

2-Stories
1018 Irving Street NW
Washington, DC 20010

ACQUISITION COSTS

Purchase Price		$545,000.00
Initial Closing Costs		$11,093.85
	TOTAL	**$556,093.85**

DEVELOPMENT COSTS (HARD & SOFT)

	TOTAL	**$1,477,194.84**	*See Construction Budget

HOLDING COSTS (18 MONTHS)

		MONTHLY	TOTAL	
Interest Payment (Commercial Loan)		$6,989.43	$83,873.16	*Commercial loan term less 6 months holding
Interest Payment (Private Equity)		$3,388.81	$60,998.58	
Property Taxes ($4632.50/yr)		$386.04	$6,948.72	
Builders Risk Insurance ($3000/yr)		$250.00	$4,500.00	
	TOTAL	$11,014.28	**$156,320.46**	

GROSS SALES

	SIZE (SQ. FT.)	PRICE/SQ. FT.	SALE PRICE
Ground Level (Warehouse)	2660	$263.16	$700,000.00
Unit 201 (2 bd/2bath)	1125	$444.44	$500,000.00
Unit 202 (2 bd/2 bath)	980	$484.69	$475,000.00
Unit 203 (2 bd/2bath)	1230	$447.15	$550,000.00
TOTAL	5995	$371.14	**$2,225,000.00**

SALES COMMISSION + TRANSFER TAX (6.45%)

TOTAL	**$143,512.50**

PROFITABILITY ANALYSIS

Acquisition Costs		($556,093.85)
Development Costs (Hard & Soft)		($1,477,194.84)
Holding Costs		($156,320.46)
Gross Sales		$2,225,000.00
Sales Commission + Transfer Tax		($143,512.50)
	NET PROFIT	**($108,121.65)**

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Status	Address	Unit #	Sold Price	Close Date	DOM	Bed	Bath	Den	Outdoor Space	Parking	Extra	SF	PKG ADJ	$/SF
SOLD	1323 Girard	6	$478,500	20-Jun-2012	0	2	2	-	Balcony	-	New, CapCity	1,152	$513,500	$446
SOLD	1300 Euclid	6	$824,000	24-Apr-2012	3	2	2	1	Private Roof Deck	Surface (1)	New, CapCity	1,928	$824,000	$427
SOLD	1323 Girard	1	$431,000	30-Mar-2012	0	2	2	-	Large Terrace	Surface (1)	New, CapCity	1,408	$431,000	$306
SOLD	1323 Girard	5	$444,000	26-Apr-2012	0	2	2	-	Large Terrace	Surface (1)	New, CapCity	1,036	$444,000	$429
SOLD	1323 Girard	3	$545,000	3-Apr-2012	0	2	2	-	Balcony	Surface (1)	New, CapCity	1,290	$545,000	$422
SOLD	2214 11th	1	$500,000	15-Mar-2012	29	2	2	-	-	-	Great Room, Floor to Ceiling Windows	1,173	$535,000	$456
SOLD	1312 Euclid	3	$525,100	13-Apr-2012	176	2	2	-	Balcony	Surface (2)	High End Finishes	1,257	$490,100	$390
SOLD	1319 Euclid	2	$630,000	1-Oct-2012	2	2	2.5	-	-	-	3 Level Unit	1,799	$665,000	$370
SOLD	3004 13th	3	$665,500	31-Oct-2012	19	2	2.5	-	Roof Deck	Surface (1)	Marble Kitchen, 10 ft Ceilings	1,650	$665,500	$403
SOLD	3008 13th	B	$679,500	21-May-2012	8	3	2.5	1	Private Deck	Surface (1)	-	1,850	$679,500	$367
SOLD	1341 Fairmont	3	$614,000	27-Jun-2012	34	2	2.5	-	Deck (2)	Surface (1)	Exposed Brick, Fireplace	1,600	$614,000	$384
SOLD	2214 11th	4	$790,000	13-Apr-2012	49	3	2.5	-	Deck (2)	Surface (1)	Penthouse, Jacuzzi	2,200	$790,000	$359
SOLD	1205 Clifton	C	$598,000	2-Nov-2012	49	2	2.5	1	Balcony (2) Private Roof Deck	Surface (1)	Skylight, Circular Stairs	1,408	$598,000	$425
SOLD	1129 Columbia	200	$530,000	24-May-2012	48	2	2	-	-	Surface (2)	-	1,373	$495,000	$361
SOLD	929 Florida	1005	$555,000	27-Sep-2012	325	2	2	-	Roof Top Terrace	-	-	1,393	$590,000	$424
SOLD	2920 Sherman	1	$421,700	30-Oct-2012	5	2	2	-	Private Patio	-	Crossroad of CH, Petworth, and U St.	1,327	$456,700	$344
SOLD	2809 Sherman	1	$422,500	8-Jun-2012	83	3	3.5	-	Patio (2)	-	-	1,272	$457,500	$360
SOLD	1427 Clifton	1	$457,920	11-Jan-2013	82	2	2	-	Private Patio	Surface (1)	Cherry Hardwood Floors	1,196	$457,920	$383
SOLD	1390 Kenyon	721	$462,000	21-Aug-2012	195	2	2	-	-	Garage (2)	Custom Cherry Cabinets	1,111	$427,000	$384
SOLD	2120 Vermont	409	$509,000	13-Dec-2012	26	2	2	1	-	Garage (2)	-	1,239	$474,000	$383
SOLD	1321 Euclid	302	$462,500	4-May-2012	5	2	2	-	-	-	-	1,089	$497,500	$457
SOLD	1458 Columbia	110	$255,000	4-Dec-2012	381	2	1	-	-	-	2 Level Condo	1,082	$290,000	$268
SOLD	929 Florida	16	$506,000	18-Jul-2012	156	2	2	-	Roof Deck	-	-	1,500	$541,000	$361
SOLD	1307 Clifton	33	$475,000	1-Aug-2012	123	2	2	-	-	-	9 foot ceilings	1,058	$510,000	$482
SOLD	1324 Euclid St	308	$460,000	11-Dec-2012	3	2	2	-	-	-	Brazilian Floors, Video Intercom	1,050	$495,000	$471
SOLD	1305 Clifton	3	$463,000	13-Jul-2012	9	2	2	-	Balcony	-	Low Condo Fees	1,037	$498,000	$480
SOLD	1241 Kenyon	1	$525,000	28-Sep-2012	6	3	2.5	-	Private Deck and Patio	-	Slate Baths, Elfa Closets	1,700	$560,000	$329
SOLD	1449 Harvard	1	$425,000	31-Aug-2012	4	2	2	-	-	-	Marble Bathroom	1,150	$460,000	$400
SOLD	1120 Euclid	1	$498,500	26-Jul-2012	4	2	2	-	Patio (2)	Surface (1)	Beautiful Finishes	1,200	$498,500	$415
SOLD	1319 Harvard	1	$565,000	18-Jan-2013	129	2	2.5	-	Patio	-	Oak Plank Floors, Video Intercom	1,511	$600,000	$397

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Alleys: DC's Other Streets Are Attracting Attention

February 24, 2012

by Shilpi Paul

Fraser Court in Dupont Circle

The collective perception of alleys in DC is in the midst of a sea change.

Between initiatives from the city's Office of Planning and essays and articles that have highlighted alley attributes, idea light bulbs seem to be going off simultaneously all over town:

Alleys are historically appealing and right in the middle of many hot neighborhoods.

Smaller lots behind bigger ones are ready-made mixed-income housing.

Retail can mix with residences in an extremely walkable environment.

All these ideas beg the question: Are the city's "other" streets the perfect place for new development?

DC may get an answer to that question sooner rather than later. As was reported in a comprehensive piece from the blog Greater Greater Washington earlier this month, the Office of Planning is in the process of rethinking the out-of-date zoning regulations that limit alley development and accessory dwellings.

Under current zoning rules, alley residences must be on lots that are 400 square feet or greater and they need to be on alleys that are at least 30 feet wide. The proposed code would at the very least remove the 30-foot wide rule.

Historic Preservation Officer David Maloney told UrbanTurf that the city is in the 'information gathering' stage, but is looking at how they can be more flexible when it comes to alley dwellings. "The city has been rather strict about regulation," he said.

David R. Salter, who lives in an old stable in Blagden Alley near 9th Street NW with his wife and authors the blog Preserving DC Stables, told UrbanTurf that things have changed drastically since the old regulations were put in place, and revisions are overdue.

"A lot of the bylaws were written at a time when you couldn't get a firetruck through a 15 foot alley, therefore it would be unwise to have someone living in an alley 15 feet wide. Trash collection and management, and even the way that wires come into residences are now very different."


A Logan Circle alley structure.

Part of the hold-up is due to a lack of information. Are there dwellings worth saving? What exactly has deteriorated? How much space is left to develop?

To answer these questions, the Office of Planning has embarked on a survey of all the alleys in DC's historic districts. Volunteers and interns walk through the back boulevards diagnosing which buildings are more than 50 years old, documenting everything about them, from condition to use to alterations that may have been made. They record whether or not buildings are being used as residences, and take note of properties that are deteriorating or vacant. All the information will go into a database that the zoning team can use as they consider the new regulations.

"We are finding stables, carriage houses, artist studios, industrial buildings and private and commercial garages," Kimberly Williams, the architectural historian in charge of the alley survey, said. "We see a lot of old advertising on the walls that you don't find on main city streets anymore."

Alleys were first developed in DC after the Civil War, when freed slaves came to the city and needed cheap dwellings to start their lives. Percentage-wise, the population growth from back then puts our current influx to shame; according to the book "Alley Life in Washington," Washington's population grew from 60,000 to 110,000 within a decade of the Civil War, and nearly half of the new residents were African-American. During that growth spurt, developers created both street-facing residences and alley dwellings.

In 1892, new legislation made it impossible to create dwellings in alleys less than 30 feet wide, and by the 1920s and 30s, alleys were considered to be dirty, crime-ridden and disease-infested; a lack of light and attention from the city kept the areas in a state of blight.


Kyle Kreutzberg's carriage house

Kyle Kreutzberg, who has lived in a renovated alley unit in DC for eight years, says that when he moved in the atmosphere was less than hospitable.

"Our carriage house was a former chop-shop, crack- and whore-house," he told UrbanTurf. "Following decades of consuming blight, trash pickup was only restored following a surprise visit by William Howland, the Director of Public Works at the time."

Because they are out of the general line of sight and off many police routes, alleys are thought of as dangerous, a perception that Salter said can be managed. "It's the Jane Jacobs notion of 'eyes on the street'," he told us. "If you walk through, you're more likely to pick up the garbage, keep it a little cleaner. If there's less opportunity for crime to occur, then it won't happen."

Kreutzberg and his neighbors have been keeping a close watch on their alley. "Growing stewardship makes us look like less of a back-street condom dumpster," he said bluntly, noting that an increase in alley lighting can do wonders for "taming determined menace."

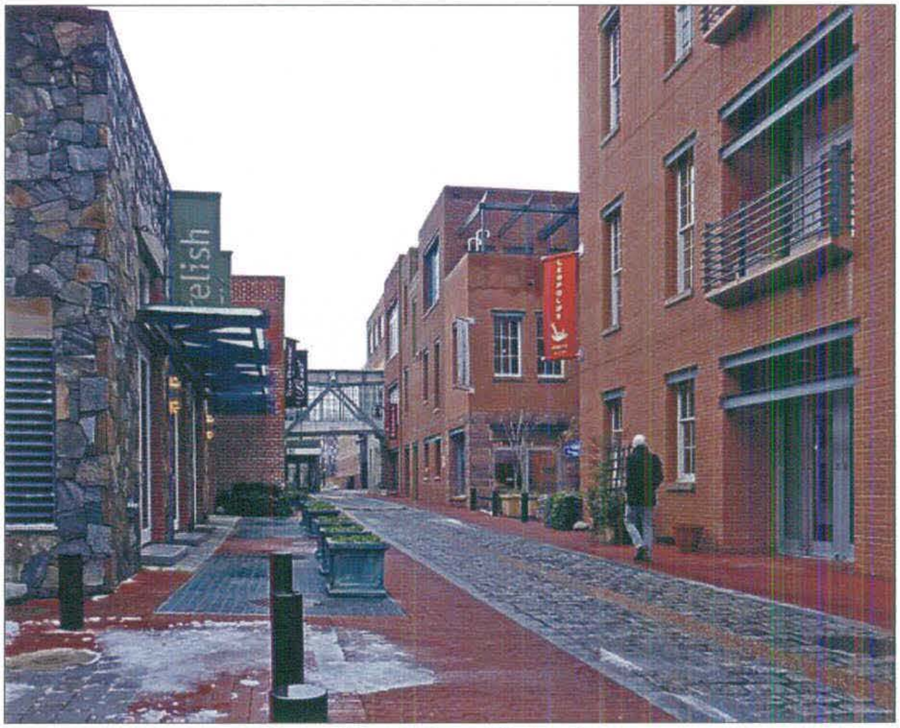
Change can already be seen. For years, Cady's Alley in Georgetown has been lined with posh furniture stores and cafes, and Fraser Court in Dupont Circle is home to one of the higher priced homes on the market in the city right now. Blagden Alley and Naylor Court are on their way with active community engagement; a recent meeting of the Blagden Alley-Naylor Court Association (BANCA) attracted representatives from developers putting up buildings on nearby 9th Street.

As for the dwellings that currently exist in alleys across the city, they are often creative and raw. Salter's stable is a "rustic" two-story loft, with large open spaces that stay cooler than cozier row houses. From the outside, Kreutzberg's carriage house is boxy and brick-heavy, however the interior is about as posh as any luxury loft-like condo in the city, with a spiral staircase, shiny counter tops and several rooms. (New condos with these types of features might be going into carriage homes in Naylor Court soon.)

Inside Kyle Kreutzberg's carriage house

Brown's Court in Capitol Hill and Bloomingdale Court in Bloomingdale have homes that sell at about market price, with a recent two-bedroom selling for $500,000. Unfortunately, the properties haven't been protected like on-street historic homes, and potentially cool houses have deteriorated or been torn down. Though Blagden Alley-Naylor Court are protected by DC Historic Preservation Law, Salter believes that it's often up to residents to protect the historic integrity of the alleys.

As a result, there is a grassroots activism in the community. The District has the DC Alley Dweller's Association (DADA) whose mission reads: "Citizens living in DC's alley areas have suffered from neglect and stigmatization by both the city government and street dwelling neighbors. This shameful history must come to an end." BANCA members managed to change the design direction of a condo project near a neighborhood alley by showing up en masse at a recent ANC meeting.



Cady's Alley. Courtesy of Peyton Chung.

The city is several steps away from any zoning changes and years out from full-on development that would bring dwellings, retail, art galleries and a lively atmosphere to alleys across the city. It's also currently unclear how exactly the data from the city's alley study will play into the new regulations. But the general feeling from the Office of Planning is positive.

"When you talk about increasing density in the District, we've still got some places to move into," Kimberly Williams said. "You don't necessarily have to build anew."

Decades ago, alleys had a lot of life coursing through them, lined by blacksmiths, cobblers, bakeries, furniture upholstery places, and bicycle repair shops. If the new regulations are approved, the city could see this from-another-era-feel return.

See other articles related to: naylor court, editors choice, dclofts, cady's alley, blagden alley, alleys, alley dwellings

This article originally published at http://dc.urbanturf.com/articles/blog/alleys_dcs_other_streets_are_attracting_attention/5182

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Advisory Neighborhood Commission 1A

Ms. Lisa Kralovic
Ms. Vickey Wright-Smith
Mr. Steve Swank
Ms. Laina Aquiline
Mr. Kevin Holmes
Mr. Patrick Flynn
Mr. Thomas Boisvert
Mr. Kent Boese
Mr. Bobby Holmes
Mr. Anthony Cimino
Ms. Dotti Love Wade
Ms. Rosalind Gilliam

Dear 1A ANC Commissioners,

I am a neighbor of the alley property know as 1018 (Rear) Irving Street NW. I understand that the owners are proposing to add additional stories to the building to be used as residential apartments, and use part of the first floor as an office.

I understand that the Advisory Neighborhood Commission 1A is scheduled to discuss the proposed project as a variance to the zoning regulations.

I have been personally briefed on the design for the proposed addition. I understand the overall scope and intent of the planned construction project at 1018 (Rear) Irving Street NW and I herby advise the ANC-1A and the DC Board of Zoning Adjustment that I support the construction of the proposed addition and the zoning relief.

D. Jafari
Signature

DAVID JAFARI
Printed Name

1004 IRVING ST N.W
Address

3, 11, 13
Date

Advisory Neighborhood Commission 1A, Board of Zoning Adjustments

Ms. Lisa Kralovic
Ms. Vickey Wright-Smith
Mr. Steve Swank
Ms. Laina Aquiline
Mr. Kevin Holmes
Mr. Patrick Flynn
Mr. Thomas Boisvert
Mr. Kent Boese
Mr. Bobby Holmes
Mr. Anthony Cimino
Ms. Dotti Love Wade
Ms. Rosalind Gilliam

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I understand that the Advisory Neighborhood Commission 1A discussed and supported the proposed project as a variance to the zoning regulations.

I have been personally briefed on the design for the proposed addition. I understand the overall scope and intent of the planned construction project at 1018 (Rear) Irving Street NW and I herby advise the ANC-1A and the DC Board of Zoning Adjustment that I support the construction of the proposed addition and the zoning relief.

Signature

Juan R. Diaz

Printed Name

3022 Sherman Ave. N.W.
WASH DC 20001

Address

3/10/2013

Date

Advisory Neighborhood Commission 1A, Board of Zoning Adjustments

Ms. Lisa Kralovic
Ms. Vickey Wright-Smith
Mr. Steve Swank
Ms. Laina Aquiline
Mr. Kevin Holmes
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Joyce Milson
Signature

Joyce Milson
Printed Name

3024 Sherman Avenue, NW
Address

3/10/2013
Date