

BEFORE THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

Application of Perseus 1827 Adams Mill Investments LLC

1827 Adams Mill Road, N.W. (Square 2580, Lot 853)

PRELIMINARY STATEMENT OF COMPLIANCE

RECEIVED
D.C. OFFICE OF ZONING
2013 JAN 29 PM 1:22

I.

Introduction

A. Description of Property

The property is zoned C-2-A and is identified as Lot 853 in Square 2580. The property fronts on the east side of Adams Mill Road, NW, between Columbia Road and Lanier Place. The property is irregular in shape and contains 14,695 sq. ft. of land area. There is a 10 foot wide public alley abutting the south side of the property, with direct access from Adams Mill Road. The property is improved with an Exxon gasoline service station.

The site and the adjacent row building to the east on Lanier Place are zoned C-2-A, and are surrounded by R-5-B zoning to the east, north and west, and C-2-B zoning to the south. The site is one half block north of the intersection of 18th Street and Columbia Road, and is centrally located in the Adams Morgan and Lanier Heights areas. The R-5-B zone is predominated by four to six story apartment buildings and three story row dwellings. There is a non-conforming one-story dry cleaners directly across Lanier Place from the subject site. The C-2-B zone contains a variety of different retail and service uses, with many buildings containing residential apartment house use above.

B. Description of Project

The proposed building is a four-story building with ground floor retail/services uses, and three floors of multifamily use above. The main residential entry will be located on Lanier Place. The retail entries will be located on both Lanier Place and Adams Mill Road. The building will be 50 ft. in height, and will abut the building restriction lines and/or property lines on Lanier Place, Adams Mill Road, and 10 ft. wide alley. The building will have a 15 ft. rear yard on the east side. The roof will include a common roof deck. An elevator and two stairs will be provided to the roof. An interior 355 sq. ft. closed court will be provided to bring daylight to the corridor and residential units on floors two through four.

The proposed exterior building materials are masonry, glass and metal. The ground floor facades consist of brick piers with detailed brick coursing, storefront, and entry canopies with signage. The facades of floors two through four consist of modular glass, brick and metal bays. Special attention and detailing will be paid to the corner condition at the intersection of Adams

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18533
EXHIBIT NO. 5

Board of Zoning Adjustment
District of Columbia
CASE NO. 18533
EXHIBIT NO. 5

Mill Road and Lanier Place. Façade materials at this location will be metal/glass with a canopy wrapping the corner. The proposed building structure is a concrete podium up to the first floor with wood construction above.

C. Description of Required Zoning Relief

As summarized below and shown in more detail on Sheet A0.1 of the drawings, variances are required from the number of retail parking spaces under Section 2101.1, and from the location of parking spaces beyond the building restriction line (BRL) on Lanier Place, under Section 2116.4(a).

The project will require 19 parking spaces for the retail portion of the building, and 18 parking spaces for the 36 residential units. The project will provide 24 automobile parking spaces and 13 bicycle parking spaces in the garage. Seven of those automobile parking spaces are located in part beyond the BRL along Lanier Place. One 30 ft. loading berth and one 100 sq. ft. loading platform are also required, and will be provided in the building. Parking and loading will both be accessed from the abutting 10 ft. wide alley.

Special exception relief is also required under Section 411.11, to allow more than one roof structure, and to allow a roof structure of unequal heights that does not meet the setback requirements.

II.

The Applicant Meets The Test For Variance Relief

A. The Property is affected by an exceptional situation or condition.

There are a number of physical constraints affecting the property, which limit the availability of space for the required number of parking spaces. The property is a C-2-A zoned corner lot, with a 15 ft. BRL along the entire Lanier Place frontage, and a BRL along approximately 60 percent of the Adams Mill Road frontage. Approximately one third of the BRL area along Lanier Place is occupied by an existing PEPCO vault. The property is an irregularly-shaped trapezoid, with 115.75 ft. of frontage on Lanier Place, NW, and 151.3 ft. of frontage on Adams Mill Road, NW, narrowing to 86.86 ft. of frontage along the 10 ft. wide public alley. The west wall of the building on the adjacent lot to the east, 1790 Lanier Place, encroaches onto the lot, thereby limiting the ability to develop the entire site. In addition, the site has a long history of gasoline station use, and there is believed to be soil contamination below the surface. No other lot in the area shares these characteristics.

B. The strict application of the zoning regulations will impose a practical difficulty.

The strict application of the zoning regulations would require 37 parking spaces. It would be practically difficult to include any more parking in the project than the currently proposed 24 spaces.

The physical limitations of the site create a practical difficulty in meeting the parking requirement. Typically, with a rectangular shaped lot, 400 sq. ft. per parking space is used to determine the number of parking spaces (and associated drive aisles) that can be accommodated in a parking garage. Due to the inefficient trapezoid shape of this site, the maximum number of parking spaces that can be accommodated in the garage results in a computation of 640 sq. ft. per parking space and associated drive aisle. As illustrated on the garage plan Sheet A1.0, the garage configuration is very inefficient, with large open spaces on both the north and south ends of the garage. The parking spaces located within the BRL area on the north side of the garage technically do not count as required parking. A rectangular site, without 15 ft. BRL's along two of the four perimeter walls, and without a PEPCO vault on the property, would allow a much more efficient parking garage layout.

In order to fully comply with the parking restriction within the BRL, spaces 18 through 24 would need to be moved out of the BRL area along the north wall. By simply moving these spaces out of the BRL, access is blocked to spaces 14-17. As a result, a new parking layout would be required. This new layout, with spaces outside of the BRL area, would only allow for 18 fully conforming parking spaces to be provided in the garage.

Excavation of more than one garage level in order to fully comply with the number of parking spaces required in the Zoning Regulations would also create a practical difficulty. In order to access a second parking level for additional spaces, six parking spaces (maintaining the spaces within the BRL area) or 10 spaces (not maintaining the spaces with the BRL area), would need to be eliminated from the first garage level in order to create a ramp to a theoretical second level. Thus, only 14 parking spaces with 20 ft. wide drive aisles could be provided on the first level and 14 on the theoretical second level, for a total of only 28 spaces. If parking spaces within the BRL area were included in that count, then there could be 18 spaces on each of the first garage and theoretical second garage levels, resulting in only 36 spaces.

In addition, the additional excavation, sheeting/shoring, additional underpinning of the adjacent structure, and construction in order to create an additional garage level would also result in a practical difficulty, in that it would add \$1M to the construction cost, which will have a direct impact on the sale/rental price for the residential units and the retail space. The excavation of additional contaminated soil below the proposed single garage level will also result in additional remediation and disposal costs.

- C. Relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose or integrity of the zoning regulations.

The requested parking variance is appropriate. The required number of residential parking spaces will be provided. The variance will reduce the number of retail/service parking spaces from 19 to 6, and will allow usable space in the garage, beyond the BRL, to be occupied by parking spaces.

The building footprint and retail/service tenant spaces in the building are small, and will not likely attract a "destination retail" tenant. Rather, the tenant will most likely be a neighborhood-oriented retail or service use. The property is located within 1/2 mile of the

Woodley Park/Zoo Metrorail station, and approximately 2/3 mile from the Columbia Heights Metrorail Station. The property has a walk score of 88% ("very walkable") and a transit score of 77% ("excellent transit") and a bike score of 94% ("biker's paradise") on walkscore.com. There are nine Metro bus routes within approximately 100 yards of the site, and a total of 24 Metro bus routes in close proximity. The DC Circulator bus stop is 67 feet from the site. There are bikeshare stations at Adams Mill Road and Columbia Road, and at Columbia Road and Belmont Road, NW. There is also a zipcar facility one-half block to the south at 18th Street and Columbia Road, NW with several others within 1/4 mile.

III

The Applicant Meets the Test for Special Exception Relief for the Roof Structure under Section 411.11

A. Full Compliance with the Roof Structure Requirements Would Be Unduly Restrictive and Unreasonable

The Applicant proposes to include an accessible roof deck on top of the building for the residents. Because of the size of the roof deck, two separate means of egress are required. As shown on Sheet A1.3, the two stair towers in the building will be extended up to the roof level to provide this egress. In addition, the elevator adjacent to stair tower #1 will be extended to the roof to provide a fully-accessible roof deck.

The two stairs are required by the Building Code to be remote from each other. The roof plan at Sheet A1.3 shows that the stairways are separated by a distance of approximately 37 feet. In addition, the stair towers are proposed to be only as tall as they need to be, which is nine feet above the level of the roof. The elevator penthouse will also be built to only the height that it needs to be, which in this case is 15.75 ft. above the level of the roof. The locations of the elevator penthouse and stair towers on the roof are dictated by the locations of the elevator shaft and stairways in the building. The elevator shaft and stairway #1 cannot be located northward, away from the exterior wall adjacent to the rear yard.

A single roof structure could theoretically be built to enclose the two stair towers and the elevator penthouse in compliance with the requirement for a single roof structure with a consistent height. However, to require this would be unduly restrictive and unreasonable, in that it would add unnecessary mass to the roof level of the building for no purpose.

In addition, it would be unduly restrictive and unreasonable to require the elevator shaft and stair tower #1 to be shifted away from the rear wall, to comply with the strict setback requirement from the rear wall. If these elements were shifted northward to comply with the setback requirement in the rear, they would violate the setback required along the Lanier Place frontage. This would also result in the loss of approximately 10% of the floor area in unit number 1 on floors 2, 3 and 4. These are already the smallest units in the building. Moreover, as can be clearly seen on Sheet A1.2, the locations of the elevator and stair tower #1 cannot be switched in order to attempt to comply with the spirit of the setback requirement, because placing the elevator closer to Lanier Place would result in a significant loss of square footage to unit number 1 on floors 2, 3 and 4 in order to provide an accessible elevator clearance. Moving

the elevator and stair tower #1 westward on the roof to comply with the setback requirements from both Lanier Place and the rear wall would result in an inefficient floor plan, with unusable space between the elevator shaft and stairway, and the east lot line, on all four floors. It would also significantly reduce the size of unit numbers 1 and 11 and floors 2, 3 and 4. It is also not possible to move the north exterior wall of the building closer to Lanier Place in order to meet the roof structure setback requirements from both the Lanier Place façade and the rear wall, because of the existence of the BRL along Lanier Place.

B. The Intent and Purpose of the Zoning Regulations Will Not Be Materially Impaired By The Roof Structure, And The Light And Air of Adjacent Buildings Will Not Be Affected Adversely

Construction of the elevator, penthouse and stair towers as proposed will be consistent with the intent and purpose of the Zoning Regulations, which is to minimize the visibility and apparent bulk of the rooftop elements. Moreover, the proposed location and configuration of the rooftop elements will not adversely affect the light and air of adjacent buildings.

IV

Conclusion

Based upon the above, and upon the exhibits and the testimony of the witnesses to be presented at the public hearing, the Applicant meets the tests for parking variance relief and respectfully requests approval of the application.