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August 30, 2013

Lloyd Jordan, Chairperson
Board of Zoning Adjustment
441 4th Street, NW
Suite 210S
Washington, DC 20001

Re: Application No. 18632 – 14th Street & Wallach Place NW
Supplemental Submission of the Applicant

Chairperson Lloyd Jordan and Honorable Members of the Board

On behalf of Madison Investments, LLC (the "Applicant"), please find enclosed the Supplemental Submission for the above-referenced application to amend the special exception relief from the parking requirement for historic structures (§2120.6). The application is scheduled to be heard before the Board of Zoning Adjustment on October 8, 2013.

Thank you for your attention to this matter.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP



By Meridith H. Moldenhauer

Enclosures

Cc Advisory Neighborhood Commission 1B
c/o Tony Norman, Chair (via email)
Single Member District 1B12 Representative, Zahra Jilani (via email)
Office of Planning (via email)
Cliff Moy, Board of Zoning Adjustment (via email)

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BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18632
EXHIBIT NO. 24

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
MADISON INVESTMENTS, LLC**

**BZA APPLICATION NO. 18632
HEARING DATE: OCTOBER 8, 2013**

SUPPLEMENTAL SUBMISSION OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

This submission supplements and amends Madison Investments, LLC's application filed on July 11, 2013 requesting zoning relief for properties located at 1921-1923 14th Street NW (Lot 180, Square 237), 1925 14th Street NW (Lot 196, Square 237), and 1351 Wallach Place NW (Lot 806, Square 237) (the "Property"). This supplemental only modifies the special exception relief from the parking requirement for historic structures (§2120.6)¹

II. EXHIBITS

Exhibit A: Revised Cellar Plan

III. BACKGROUND

Since submission of the Initial Application, the Applicant has undertaken extensive community outreach, completed further real estate market analysis, and engaged consultants to conduct subsurface exploration and geotechnical engineering analysis, environmental sampling, and parking engineering analysis. As a direct result of the new information obtained, the Applicant seeks to reduce the number of residential units and eliminate the parking onsite.

The first modification is a reduction in the number of residential units. The Initial Application indicates that the structure will contain 78 residential units, including several microunits. Based on analysis of market demand and a desire to create a more family-friendly living environment, the Applicant intends to substantially reduce the number of residential units. While the unit count is not yet

¹ The impact on the relief required is one of degree, therefore, there is no need to amend the caption.

finalized, the Applicant anticipates having closer to 60 units rather than 78 units. This will greatly decrease the number of parking spaces required for the residential use. The exterior dimensions of the structure will remain unchanged. Other than a change in the number of required parking spaces, this change to the plans will not impact the zoning relief necessary for the project. Final plans and unit count will be provided in the Prehearing Statement.

The second modification is the conversion of the one-story, 9-space, underground parking garage to neighborhood serving retail. As described in detail below, the impetus for the conversion is a response to analysis by a parking engineer revealing several logistical difficulties and feedback from the community indicating a preference for neighborhood serving retail. Accordingly, the Applicant is amending the application to allow for complete relief from the parking requirement. As described below, the project meets the standard for special exception relief from the parking requirement for historic structures.

IV. AMENDMENT TO THE SPECIAL EXCEPTION RELIEF FROM THE PARKING REQUIREMENT FOR HISTORIC STRUCTURES (§2120.6)

In the Initial Application, the Applicant requested special exception relief from the parking requirement for historic structures pursuant to §2120.6. Pursuant to §2120.3, a historic resource and any addition to a historic resource are exempt from the requirements of §2100.4 to provide additional parking as a result of a change of use and §2100.6 to provide additional parking as a result of an increase of intensity of use, except that parking is required for any addition where the gross floor area of the historic resource is being increased by 50% or more, and the parking requirement attributable to the increase in gross floor area is at least four spaces.

The Initial Application described the project as having 73 residential units and 4,648 square feet of retail space in the addition to the historic resources at the Property. The resulting parking requirement was thus 26 spaces, 24 spaces for the additional residential use and 2 spaces for the additional retail use. The Applicant initially proposed to create 9 parking spaces in an underground parking garage, seeking

special exception relief for the remaining 17 parking spaces required. In response to analysis by a parking consultant and feedback from the community, the Applicant has revised the plans to replace the 9 underground parking spaces initially proposed with neighborhood serving retail. See Revised Cellar Plan at Exhibit A. Accordingly, the Applicant is amending the application to allow for complete relief from the parking requirement.

V. THE APPLICANT MEETS THE BURDEN OF PROOF
FOR SPECIAL EXCEPTION RELIEF

Pursuant to §2120.6, the Board may grant special exception relief from all or part of the parking requirements of §2120 if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking would result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. Additionally, §2120.6 provides four factors to consider in determining whether the requested relief can be granted without adversely affecting the use of the neighboring property owners:

- a. Providing the required parking would result in an architectural and structural difficulty as a result of the nature and location of the historic resource.*

The Initial Application described in detail why providing the 26 parking spaces required would result in an architectural and structural difficulty as a result of the nature and location of the historic resources. The reasons outlined indicated that only one level of parking could be built because of (1) the difficulty of underpinning, excavating and constructing parking beneath the historic buildings, (2) the high water table, and (3) restriction on the use of the ground level under §1901.1 and the need to provide typical ground floor building services. Accordingly, one-level of parking was initially proposed.

However, subsequent analysis by a parking consultant revealed that providing the one story of underground parking is highly inefficient with respect to use of space and cost of construction per parking space and creates undesirable parking geometrics. To maintain and rehabilitate the existing historic resources, only a portion of the lot could be used for underground parking. The amount of space usable for parking is further reduced by the need for an access ramp. The maximum number of legal spaces that

can be provided is therefore only 9 spaces. The cost of providing these spaces is roughly \$100,000 per space. Ordinarily, the cost of providing parking is closer to \$30,000 per space. The costs are further exacerbated by the need to remedy the environmental contamination at the Property due to prior use as a parking lot.

Analysis by a parking consultant, whose report will be submitted with the Prehearing Statement, indicates that the one-story parking garage initially proposed, despite the exorbitant cost per space also creates significant undesirable parking geometries. As will be described in more detail in the parking consultant's report, creating a one-story parking garage that preserves the historic structures on the Property presents architectural and structural difficulties. First, the sight distance into the alley is limited by the narrowness of the alley entryway off of Wallach Place. Second, there is only sufficient space to construct a one-way ramp, which presents safety concerns and logistical problems for the two-way traffic in which one car must drive in reverse to let the other car pass. The sloping of the ramp is also greater than desirable making it difficult to traverse for certain vehicles. Third, the limited size of the garage leaves little room to maneuver into and out of the parking spaces. Finally, a one-story garage on this small of a floor plan, particularly with the bicycle parking and amenities provided, increases the likelihood of conflicts between automobiles, cyclists, and pedestrians and presents additional safety concerns.

Thus, providing one-story of the required parking results in architectural and structural difficulty because it is highly inefficient, costly, and is logistically difficult from a parking engineering perspective.

b Additional factors demonstrate no adverse impact on the use and enjoyment of neighboring properties

Conversion of the one-story underground parking to neighborhood serving retail will not have an adverse impact on neighboring properties. In fact, the change is due, in part, to community feedback indicating a preference for neighborhood serving retail. The Applicant has begun an extensive community outreach campaign in an effort to inform the community about the project, answer questions,

modify the proposal where possible to accommodate community preferences, and ultimately garner widespread support for the project. To date, that process has involved meeting with Wallach Place residents, meeting with the SMD Representative, communicating with the U Street Neighborhood Association, and presenting at an ANC 1B Design Review Committee Meeting. While the initial response to the project from neighbors and the Design Review Committee has been overwhelmingly positive, the general consensus has been a preference for neighborhood serving retail. Accordingly, the Applicant is proposing to replace the small nine-car parking garage with neighborhood serving retail. The Applicant will subsidize the rental rate, if necessary, to accommodate a tenant the neighborhood prefers. The tenant will be determined after extensive input from the community as to what form of retail will best serve the needs of local residents.

As stated in the Initial Application, a reduction in parking provided onsite will not have an adverse impact on the use and enjoyment of neighboring properties. The primary reasons include (1) the Property's excellent proximity to metro, metrobus routes, carsharing, and bikesharing options, (2) the walkability and bikeability of the location, and (3) the resulting decreased desire to own and store a vehicle on the premises.

Furthermore, the Applicant intends to implement the following mitigation measures to promote the use of alternative modes of transportation and limit any potential negative impacts as a result of the parking relief requested:

- Install an electronic information display providing real time information related to local transportation options,
- Provide the first occupant of each residential unit a \$100 car sharing membership, or a \$150 Capital Bikeshare membership, or a \$200 *Smart Trip* card,
- Designate a member of the property management team as the Transportation Management Coordinator (TMC) to ensure that information identifying programs and incentives for using alternative modes of transportation is disseminated to tenants of the building, and
- Provide at least 30 covered and secure bicycle spaces in the building.

For the reasons stated, the requested special exception for parking relief will not have an adverse impact on neighboring properties

VI. CONCLUSION

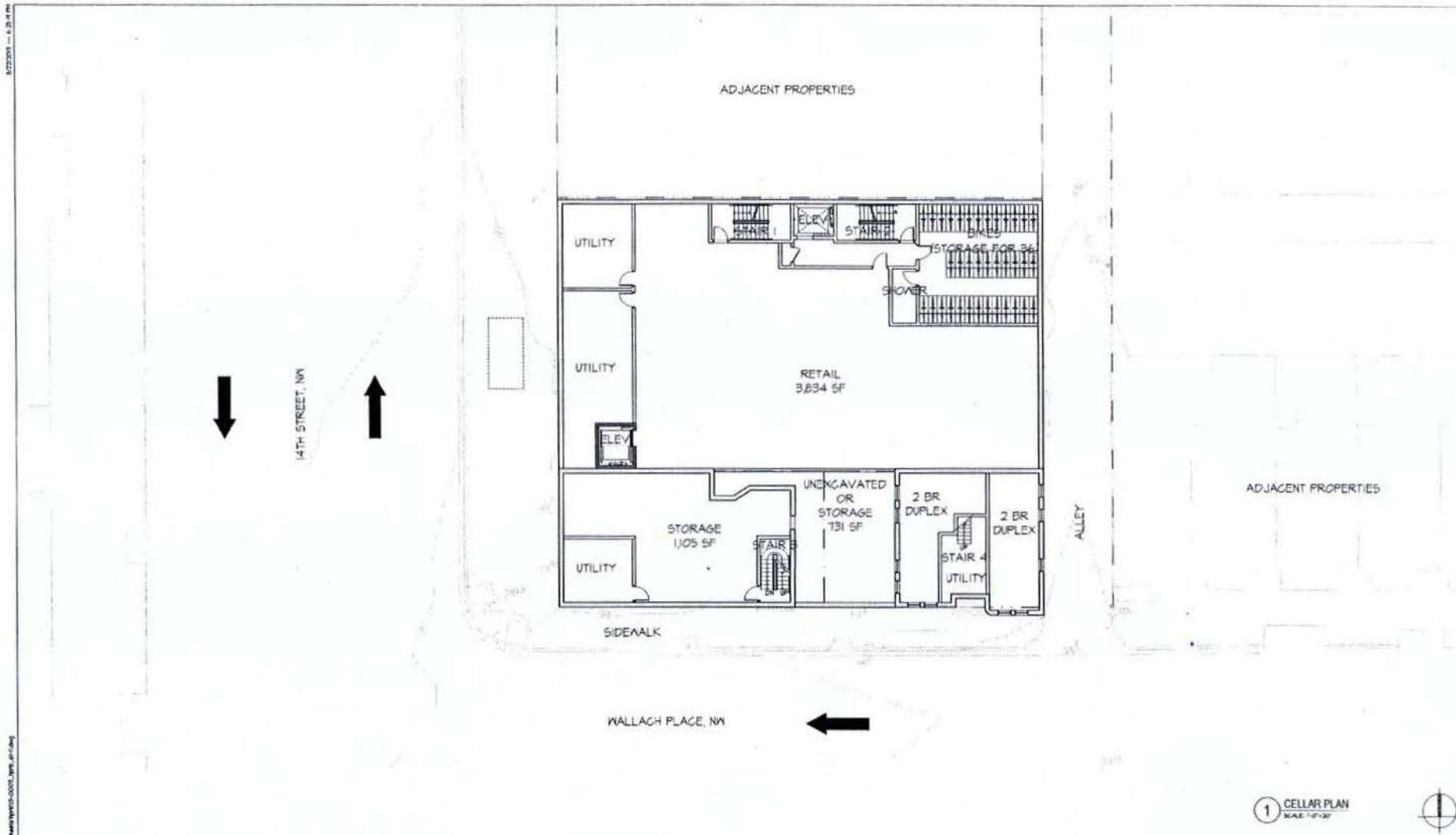
For the reasons outlined above, and as will be described in more detail in the Prehearing Statement and at the hearing, the amended special exception relief regarding the parking requirement for historic structures (§2120 6) meets the special exception standard. We look forward to presenting our case to the Board on October 8, 2013.

Sincerely,

GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP


By Meredith H Moldenhauer

Exhibit A



1 CELLAR PLAN
SCALE: 1/8"=1'-0"



WALLACH PLACE, NW

Washington, DC 20009
Square: 237 Lot No: 180, 196, 806 Zone: ARTS/ICR

CELLAR PLAN A 1.11
08/19/2013



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