

**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment

FROM: Matt Jesick, Case Manager
Joel Lawson, Associate Director Development Review

DATE: June 9, 2015

SUBJECT: BZA #19011 – 129 Varnum Street, NW

I. RECOMMENDATION

With regard to this proposal to construct a new seven-unit apartment building, the Office of Planning (OP) at this time **cannot recommend approval** of the special exception pursuant to § 353, mandatory review of multi-family proposals in the R-5-A zone. Based on the architectural plans submitted as part of the application, there are a number of outstanding issues regarding the site plan, building massing, architecture and building function. Resolution of the issues discussed in this report would enhance the building's compatibility with the residential character of the neighborhood and the block, specifically:

- The main entrance should be located on the front façade of the building, consistent with other buildings on the block;
- The building should provide a front set back consistent with other buildings on the block, rather than extend closer to the street as proposed;
- Confirmation of the height and materials for the retaining wall and any grading needed for the project;
- More information about how trash is handled and an examination of other locations for the trash bins;
- Additional clarity is needed regarding proposed materials and their consistency with neighborhood character.

Also, based on the submitted plans, the upper level referred to as the rooftop penthouse would be considered another story, and would count towards height, number of stories, and FAR limitations of the zone. As such, as designed, additional relief appears to be required, including building height (40 feet / three stories permitted, 41.5' / four stories shown); and FAR (0.9 permitted, an undefined number but greater than 0.9 shown). The height also results in an apparent side yard setback relief requirement. OP does not support any of this relief. However, this could be rectified by eliminating the habitable space from the penthouse and limiting enclosed space to access to the rooftop decks such that the top floor is not considered a "story". Since OP originally raised this issue with the applicant the fourth story has been reduced in size somewhat, but would still provide habitable space.

II. LOCATION AND SITE DESCRIPTION

Address	129 Varnum Street, NW
Legal Description	Square 3321, Lots 10 and 11
Ward and ANC	4, 4C
Lot Characteristics and Existing Development	The combined lot is 40' wide by 155' deep with a 20' alley at the rear. The block has a 15' Building Restriction Line (BRL), and the existing 1.5 story house on the site sits about 5' back from the BRL.
Zoning	R-5-A, low density apartment zone (detached, semi-detached, rowhouse and multi-family permitted as a matter-of-right)
Historic District	None
Adjacent Properties and Neighborhood Character	Mostly rowhouses with a mix of small apartments; Houses on this block are also generally set back a consistent distance from the BRL.

III. PROJECT DESCRIPTION IN BRIEF

The applicant is proposing to construct a new seven unit multi-family building.

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

The site is zoned R-5-A (Low density apartments; other residential uses also permitted). In order to develop as proposed, the application requires special exception review pursuant to § 353. By virtue of this application, the applicant seeks Board approval for the lot area and lot width. As noted in the table below, the building as it is currently shown appears to also require relief from a number of zoning requirements. The height stated in the application materials does not account for the 4th story, so a variance to height regulations would be required for the number of stories and the height in feet. This also appears to lead to an FAR non-conformity. The side yard, which is calculated based on the height of the building, would also appear to require relief.

Section	Requirement	Proposed	Relief
§ 400 Height	40', 3 stories	41'6", 4 stories	Required
§ 401 Lot Area	As prescribed by the Board pursuant to § 3104	6,200 sf	Special Exception Requested
§ 401 Lot Width	As prescribed by the Board pursuant to § 3104	40'	Special Exception Requested
§ 402 FAR	0.9	0.9*	Required*
§ 403 Lot Occupancy	40% (2,480 sf)	28.9% (1,792 sf)	Conforming
§ 404 Rear Yard	20'	63'	Conforming
§ 405 Side Yard	3" per foot of height (10.375' based on 41'6" height)	8.4'	Required
§ 2101 Parking	1 per unit	7 spaces	Conforming

* FAR provided in the application materials. The FAR calculation should include the floor area of the 4th floor.

V. ANALYSIS

Section 353 requires special exception review for new residential developments in the R-5-A zone. OP's analysis, found below, focuses on ensuring that the proposed development is compatible with the residential character of the neighborhood and immediately adjacent residences. Please refer to Exhibits 23 – 25.

353 NEW RESIDENTIAL DEVELOPMENTS (R-5-A)

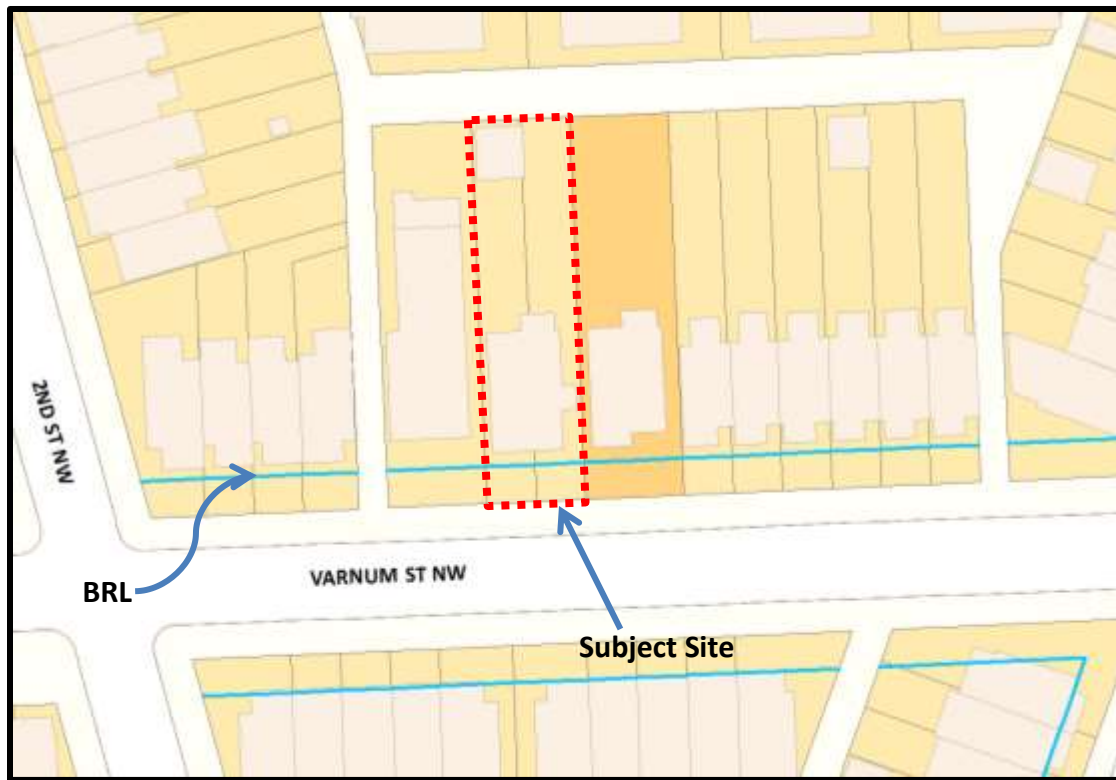
353.1 In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section.

The application proposes a new multi-family development, a permitted use in the R-5-A zone.

353.4 The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.

Site Plan, Grading and Trash Collection

The applicant proposes a seven-unit multi-family building which would abut the front building restriction line (BRL). The BRL is located approximately five feet in front of the existing front porch, and it appears that all homes along this block were set back from the BRL the same distance. A new building built out to the BRL would not be visually compatible with the remainder of the block, and the proposed building should be set back to be in line with the other homes. See the map below showing the BRL and existing building footprints.



In email correspondence with OP, the applicant explained that the retaining wall on the west side of the property would be replaced. The application should include information on the materials to be used for the wall. OP also asked the applicant to confirm whether the new wall would be taller than the old wall, and what, if any, grading would be necessary on the site. As of this writing that information has not been received, but the applicant has confirmed that a railing would not be necessary on the top of the retaining wall.

Next to the retaining wall the design proposes a lead walk from the sidewalk up to the building entrance on the west side of the building. The walk would then continue to the parking lot in the rear. In order to improve the residential character of the project, OP asked the applicant to explore layouts that would provide an entrance at the front of the building which would result in a project more consistent with neighborhood character and therefore the intent of the Section 353 review. The applicant responded that the property size, building efficiency and need to access the rear combined to make a side entrance the best option for the design.

The applicant has submitted to the record a detailed landscape plan that would seem to provide a dense and varied landscape for the project.

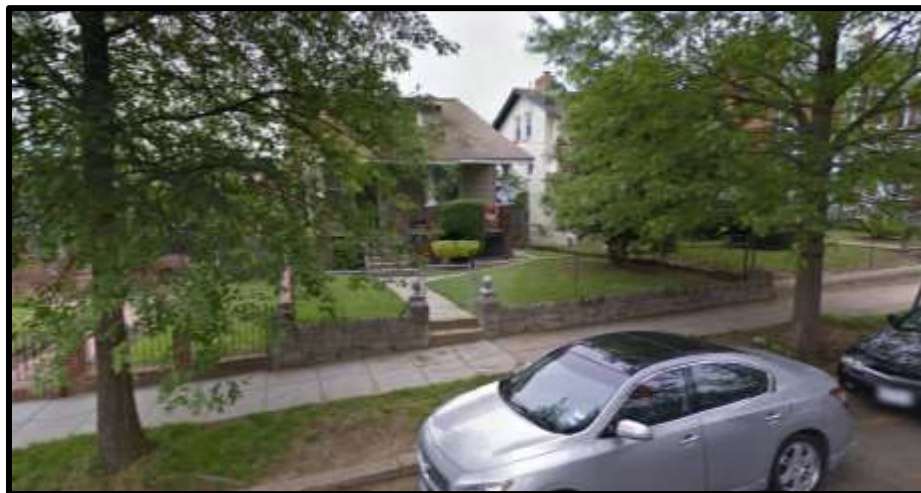
The plans show three trash / recycling bins at the side of the building, which may not be sufficient for a seven-unit building unless refuse is picked up multiple times per week. The applicant should clarify the plans for trash pick-up. The location of the trash is also far from ideal since it will be right outside the windows of both the cellar and first floor units, and adjacent to the rear of the adjacent property to the east. Odors from the trash could infiltrate

those units and the adjacent lot. A trash enclosure near the alley could be a better solution. The application should also provide information about how rodents would be abated.

Public Space Design

OP also reviewed the public space design at the front of the property. Any non-standard features in public space or within the building restriction area would ultimately be reviewed by the Public Space Committee (PSC). The comments in this report are to provide advice in advance of the PSC's review, and to increase the project's compatibility with the neighborhood per the guidance of § 353:

- The retaining wall along the sidewalk should be retained, even if it has to be modified to accommodate a lead walk on the western edge of the lot. However, OP would, instead, support either utilizing the existing break in the wall and jogging the path to a side entrance, or preferably a redesign to put the entrance to the building on the front façade. The wall adds to the residential character of the property. Most properties on this street have some sort of small retaining wall parallel to the street, and this one is one of the nicer examples on the north side of Varnum. See below a photo showing the wall along the sidewalk.
- Based on feedback from OP's staff that would review this application were it to go to the PSC, OP would not recommend approving the canopy at the sidewalk because it detracts from the park-like character of public space. It should be removed from the plans.



Rooftop Structure

Although it has been reduced in size since the original submission, the design proposes a rooftop structure with occupiable space which would constitute a fourth floor on the building where only three are permitted. The south and north rooms appear to include a wet bar and a laundry / utility area respectively. Section 411 allows rooftop rooms accessory to communal rooftop areas, but not accessory rooms for private rooftop decks. If the applicant wishes to include a fourth story on the building, height, number of stories, FAR, and side yard variances would be required.

Otherwise, the rooftop structure should be scaled back to include only the stairs to the roof and a landing, although it could also contain mechanical equipment for the unit such as a hot water tank.

Materials and Design

According to the submitted plans, the materials proposed with this project include brick, shingle, storefront window, fiber cement board and composite metal panel. These are all very generic terms and significant additional specificity should be provided. Materials should also be specified for the wing wall at the front of the building and the walls and pergola at the 4th floor level. OP questions the need for the wing wall, which seems like it would limit eastern light into the units and could add a visual incongruity to the streetscape. In addition to greater specificity regarding the materials, OP asked the applicant to produce a rendering of the building to more clearly demonstrate the design intent and to show how the building would mesh with the residential character of the street.

VI. COMMUNITY COMMENTS

As of this writing, OP has received no comments on the application from the ANC or community members.

VII. ATTACHMENT

1. Vicinity Map

Attachment 1 Vicinity Map

