

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



December 27, 2013

Brian D. Papke
Capital City Real Estate
1515 14th St. NW, Suite 201
Washington, DC 20009

RE: 2337 Champlain St. NW, Lot 887, Square 2563

Dear Mr. Papke:

It was a pleasure to meet with you on November 14, 2013 regarding the proposed building design revisions for the project located at 2337 Champlain St. NW (Square 2563, Lot 887) – the project known as “The Morgan”. In summation, revised plans were submitted as a result of changes made by the new owners of the property – plans dated 11-12-14 and attached to this letter.

The site is zoned R-5-B and is located in the Reed Cooke (“RC”) Overlay District. The site has been used as a surface parking lot and is currently vacant. In November, 2011, FCP Champlain, LLC (“Owner”) submitted an application to the Board of Zoning Adjustment (“BZA”) to permit the development of a residential building with the following areas of zoning relief: (1) a special exception under section 1404 to allow an increase in height from 40 feet to 48 feet in the RC Overlay; and (2) a variance from section 402 to allow an increase of .25 FAR above the allowable FAR of 1.8.

On May 22, 2012, the Board voted to approve the application, a copy the Order #18330 of which is attached.

On April 9, 2013, my office published an opinion letter regarding a change in the overall building design for the overall building height from 48’ to 47’. In that letter, I agreed that the proposed modification was within the scope of the original BZA application No. 18330. The changes outlined reduced the extent of the special exception relief approved by the BZA, and do not create any other area of nonconformity.

The new owners of the property have presented modifications to the plans (attached, dated 11-12-13) which will make the project more financially feasible to construct. The current building, as designed, has been thru years of effort to get to a point that it is able to be built, with no success. A heavily nuanced design, in addition to complicated building details and plan in-efficiencies necessitated the need for a revised building layout concept. These proposed changes are all designed to be within the scope and intent of BZA order No. 18330, and will not create any new areas of nonconformity. Overall, the revisions to the building design will all be under the constraints of the zoning code for this district (R-5-B) and the RC overlay – with the exception of the same two areas of relief as provided by that BZA order.

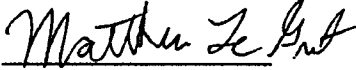
In regards to (1) – the special exception (and subsequent letter modifying) to increase the building height to 47' was part of this design. By keeping the building the same height as the previous building design, and matching the parameters for roof structure setback and other regulations, the proposed modified building plans will be consistent with the BZA order. In addition, the proposed roof structure and roof decks will be condensed into a central area, thereby minimizing the impact on the views from the adjacent 'Erie' building to the north. The owner also proposes to keep access to the roof decks and access structure private to 7 individual units in the building, and not common to the entire building.

In regards to (2) – the variance from section 402 to allow an increase of .25 FAR was also proposed to be kept in place with these building modifications. All of the same practical difficulties as listed in the previous BZA order apply to the site. The revisions to the building design result in a building that has essentially the same building coverage area (8,309 s.f.), but less overall GFA of building (32,884 s.f. provided with these revisions). By switching the garage ramp entry to the south side of the site, the building would be able to be lowered enough to meet the criteria to be considered a cellar level. Also, by moving the building main entry towards the north side of the lot, the need to have a lower 'split-level' entry has been eliminated. The number of residential units in the building is proposed to remain the same, and off-site parking will be provided within the regulations.

Overall, the proposed plan modifications will have an imperceptible or even positive effect on the project, will reduce or keep the extent of special exception relief as previously approved by the BZA, and will not create any new areas of nonconformity.

Accordingly, upon proper presentation of plans for a building permit, I will approve drawings that are consistent with the plan modifications and drawings as noted above as being in compliance with BZA Order No. 18830.

Please let me know if you have further questions.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachments: Board of Zoning Adjustment Order No. 18330
April 9, 2013 Proposed building modification opinion letter.