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January 3, 2017

VIA IZIS

Frederick Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, N.W., Suite 210S
Washington, DC 20001

**Re: BZA Application for 3320 Idaho Avenue, NW
Square 1818, Lot 849 (the "Property") – Variance and Special Exception Relief
Application**

Dear Chairperson Hill & Members of the Board:

Please accept for filing the enclosed application of the District of Columbia Department of General Services (the "Applicant"). The Applicant requests area variances from the requirements regarding height and number of stories (Subtitle F § 303.1), loading (Subtitle C § 901.1), and number of primary structures on one lot (Subtitle C §302.2). The Applicant further requests special exception relief from the minimum parking requirement (Subtitle C § 701.5) in order to construct an emergency shelter in the RA-1 Zone District (Subtitle U § 420.1(f)) at 3320 Idaho Avenue, NW.

The application package includes the following materials:

1. Application Form;
2. Fee Calculator Form;
3. Statement of Existing and Intended Use;
4. Zoning Self-Certification Form;
5. Certification of Proficiency;
6. Proposed Architectural Plans & Elevations;
7. List of Names and Mailing Addresses of Owners within 200 Feet;

Board of Zoning Adjustment
District of Columbia
CASE NO.19450

EXHIBIT NO.2

8. Statement of the Applicant;
9. Authorization Letter;
10. DC Zoning Map;
11. Surveyor's Plat;
12. Three Photographs of the Property;
13. Statement of Community Outreach;
14. Summary of Witnesses;
15. Resume of Expert Witness; and
16. Certificate of Service for the Office of Planning and ANC 3C.

We believe that the application is complete and acceptable for filing, and request that the Board schedule a public hearing for the application as soon as possible. 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

A handwritten signature in blue ink, appearing to read 'Meridith H. Moldenhauer', written over a horizontal line.

By: Meridith H. Moldenhauer

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

**APPLICATION OF
D.C. DEPARTMENT OF GENERAL SERVICES**

**3320 IDAHO AVENUE NW
ANC 3C**

STATEMENT OF THE APPLICANT

I. NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of the District of Columbia Department of General Services (the “Applicant”), the owner of property located at 3320 Idaho Avenue, NW, (Square 1818, Lot 849) (the “Property”) in support of its application for variance relief, pursuant to 11 DCMR Subtitle X § 1000.1, from the requirements regarding height and number of stories (Subtitle F § 303.1), loading (Subtitle C § 901.1), and number of primary structures on one lot (Subtitle C §302.2), and special exception relief from the minimum parking requirement (Subtitle C § 701.5) to allow construction of an emergency shelter in the RA-1 Zone District (Subtitle U § 420.1(f)) at the Property.

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board”) has jurisdiction to grant the special exception and variance relief requested pursuant to D.C. Code § 6-641.07(g)(2) and (3), respectively.

III. BACKGROUND

A. The Property

The Property is located on Lot 849 in Square 1818, and contains approximately 200,965 square feet of land area. The Property is owned by the District of Columbia and operated by the District’s Department of General Services. Square 1818 is bounded by Newark Street, NW to

the north, Idaho Avenue, NW to the east, Macomb Street, NW to the south and Glover Archibold Park to the west. *See* Zoning Map at **Tab A**. The Property is zoned RA-1. The Property is improved with the Metropolitan Police Department's ("MPD") Second District headquarters. Additionally, the Newark Street Community Garden (the "Community Garden") and tennis courts occupy the western portion of the Property.

B. The Surrounding Area

The Property is located in the Cathedral Heights neighborhood. The Property abuts an R-1-B zone directly to the south and an NC-1 zone to the northeast. The surrounding area consists of large apartment buildings, mid-size walkups, and single-family homes. Additionally, there are several mixed-used developments, which vary in height from three to five stories, along Newark Street, NW and Wisconsin Avenue, NW, which include the newly renovated Giant, CVS, and high-end restaurants. The Community Garden and Playground abut the Property to the west. It should be noted that even though the community gardens and playground appear to be part of one large lot that includes the Property, the area is divided into two lots, lot 849 and lot 848. The other half of the Community Garden located on Lot 848 is federal land not owned by the District of Columbia.

C. Traffic Conditions and Mass Transit

The Property is well serviced by a number of public transportation options including Metrobus, bikeshare, and carsharing services. There are numerous Metrobus routes nearby on Wisconsin Avenue, NW, including 30N, 30S, 31, 33, 37 and 96. Additional bus routes run along Massachusetts Avenue, NW, including N2, N4, and N6. There is a Capital Bikeshare station and a Zipcar pickup station only 1 ½ blocks from the Property on Wisconsin Avenue, NW.

D. The Project

The Applicant proposes to construct a short-term emergency shelter for fifty families on the Property (the “Project”). *See* Architectural Plans at **Tab B**. The Project implements the District’s plan to end homelessness, which involves making significant improvements to the current homeless crisis response system for families. Importantly, the initiative, Homeward D.C., includes closure and replacement of D.C. General, the city’s largest family homeless shelter. To close D.C. General, the Mayor has advanced an all “8 Ward Strategy” to create short-term family housing in all eight wards of the District. The facilities will be small, safe, and dignified, with the services and support that help families get back on their feet as quickly as possible. The goal of the Mayor’s short-term family housing strategy is to provide temporary housing for families during a transitional period of 60 to 90 days. The ideal length of stay for families in short-term housing is fewer than 90 days.

Accordingly, the Project will include 50 sleeping units, as well as space for wrap-around services, including on-site case workers, computer facilities, age appropriate indoor and outdoor recreation space, and a dining room for the families. The ground floor will contain much of the space needed to provide the on-site, wrap-around services. Meals, which are provided as part of the short-term family housing program, will be prepared offsite and served to families in shifts. The Project is expected to have 10-22 staff on-site, with 10 staff members working in three shifts, and 10 staff members having locked schedules. There will be a minimum of 10 staff members on-site at all times, with a maximum of 24-27 staff on-site during shift changes.

Establishing a family-scale environment is a major priority for the Project because approximately 60% of residents will be children. Accordingly, sleeping units will be limited to no more than 10 units per floor in order to create a small, family-centric environment that

promotes privacy and ensures security. Designing floors to serve a smaller number of families is necessary to create a setting that fosters resident children's development through the myriad of challenges families experiencing homelessness face as they transition to permanent housing with the District's assistance.

One of many important elements for the shelter will be maintaining safety and security throughout the building, and the Project's design has been driven by that priority. Each floor will have a security desk with a direct line of sight down the floor's single central hallway, which will enable staff to monitor activities in common areas at all times. The floors will be limited-access, and residents will be issued keys for their particular floor and will not have access to other floors. Each floor will have its own laundry facility, as well as a common room that enables families to perform many of their daily tasks on their floor.

As noted above, the Project will feature 50 sleeping units. This number of sleeping units is driven by programmatic needs for the short-term shelter given the extensive level of services provided and the goal of achieving a smaller, family-scale environment on each floor and overall. The 50 units are also needed to achieve the requisite number of DC General Family Shelter replacement units required by law. Therefore, the number of sleeping units balances efficiency needs and legal requirements with the family-scale concept.

The Project also incorporates an environmentally friendly building design that will be "LEED" certified and features a "green" roof. The Project will improve the existing Property by adding significant landscaping elements, including planted areas on the front and side of the Project as well as a planted "buffer zone" between the Project and properties to the south. The Project will also add a fencing element around the perimeter of the portion of the lot dedicated to the shelter.

Lastly, the Project will include 12 off-street parking spaces. The MPD Second District Station, which currently has 157 parking spaces and an impound lot, will receive a parking deck that will replace in kind MPD's 157 parking spaces and the impound lot will be relocated.

Aside from the relief requested, the Project complies with the zoning regulations for properties located in the RA-1 zone. In the RA-1, 40% lot occupancy is permitted as a matter-of-right; the Project proposes a lot occupancy of 28%. The RA-1 zone district permits an FAR of 0.9; the Project proposes an FAR of .65. A rear yard of 20 feet is required and the Project will feature a rear yard of 205 feet. The Project far exceeds the 18 feet (3 in. per foot of height) required side yard, providing a side yard of 60 feet on the north side of the building and 23 feet on the south side of the building. Finally, there will be penthouse mechanical space that will comply with all height and setback requirements.

IV. NATURE OF VARIANCE RELIEF SOUGHT AND STANDARD OF REVIEW

Variance relief is needed for the following zoning requirements: height and number of stories (Subtitle F § 303.1), loading (Subtitle C § 901.1), and number of primary structures on one lot (Subtitle C §302.2). Under D.C. Code § 6-641.07(g)(3) and Subtitle X § 1000.1, the Board is authorized to grant an area variance where it finds that three conditions exist:

- (1) The property is affected by exceptional size, shape, or topography or other extraordinary or exceptional situation or condition;
- (2) The owner will encounter practical difficulties if the Zoning Regulations are strictly applied; and
- (3) The variance will not cause substantial detriment to the public good or substantially impair the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

See French v. District of Columbia Bd. of Zoning Adjustment, 658 A.2d 1023, 1035 (D.C. 1995) (quoting *Roumel v. District of Columbia Bd. of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980)). An applicant experiences practical difficulties when compliance with the Zoning Regulations would be “unnecessarily burdensome.”

Applicants for an area variance must demonstrate that they will encounter “practical difficulties” in the development of the property if the variance is not granted. *See Palmer v. District of Columbia Bd. of Zoning Adjustment*, 287 A.2d 535, 540–41 (D.C. 1972) (“[A]rea variances have been allowed on proof of practical difficulties only while use variances require proof of hardship, a somewhat greater burden.”). *See Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1170 (D.C. 1990). Importantly, when the applicant is a public service, as in this case, the Board may apply a more flexible standard when applying the variance test. *See Nat’l Black Child Dev. Inst. v. District of Columbia Bd. of Zoning Adjustment*, 483 A.2d 687, 690 (D.C. 1984) (citing *Monaco v. District of Columbia Bd. of Zoning Adjustment*, 407 A.2d 1091, 1096 (D.C. 1979)).

V. APPLICANT MEETS THE BURDEN OF PROOF FOR VARIANCE RELIEF

A. The Property Is Affected by an Exceptional 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 Columbia 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*, 579 A.2d at 1168.

In this case, the exceptional situation and condition arises from (1) the location of the existing structures on the lot; (2) the pre-existing community gardens; (3) the site's topographical change and (4) the Project's programmatic needs.

1. *Location of Existing Structures on the Lot*

MPD's Second District Station ("MPD Station") occupies a significant portion of the land area on Lot 849. The MPD Station also has a pre-existing parking lot, which occupies a large swath of the Property. Moreover, there is a refueling station for police vehicles and other public service vehicles located on the northern side of the property along Newark Street, NW, which cannot be disturbed. The existing curb cuts and traffic flow to the MPD Station further circumscribe the Project's location; the goal is minimal movement or increased number of curb cuts which would reduce off street parking spaces. Therefore, the Project's building area is severely restricted as to where it can be located on the lot.

2. *The Pre-Existing Community Garden*

As noted above, the pre-existing Community Garden and tennis courts are located on the western portion of the Property. In fact, the Community Garden occupies almost *half* of the lot area for Lot 849. Again, the existence of the gardens, which is an important source of pride for the city and surrounding community, greatly restricts the Project's location on the Property as well as the Applicant's ability to offer alternative designs for the building. The portion of the Community Garden located on Lot 848 is federal land thus limiting additional alternatives.

3. *The Lot's Topography*

There is a significant topographical change on the Property that creates an exceptional condition for the Project. Specifically, the Property has a downward slope from north to south,

causing a change in grade. The Property also has a significant change in grade from the proposed location of the Project toward the community gardens to the west.

4. *Project's Programmatic Needs*

The District's initiative to end family homelessness, which includes closing D.C. General and opening smaller, more dignified emergency short-term family housing facilities in each ward creates a unique and exceptional condition. In addition to the programmatic needs, the lack of available locations and/or those capable of meeting the District's programmatic goals and the demand for temporary family housing within Ward 3 contribute to the exceptional conditions here. The D.C. Court of Appeals has held that there is no requirement that the uniqueness "inhere in the land at issue." *Gilmartin*, 579 A.2d at 1168 (citing *Capitol Hill Restoration Society v. District of Columbia Bd. of Zoning Adjustment*, 534 A.2d 939, 942 (D.C. 1987)). To the contrary, a "difficulty which sets a property apart from its neighbors need not be physical but can stem from the zoning history of the case." *Monaco*, 407 A.2d at 1097. For example, private restrictive covenants "may be considered in their own right as an extraordinary condition of a particular piece of property, since they effectively restrict design, height, and use." *Id.* at 1099. Further, "historical factors, a relationship to Congress, and past actions of the BZA and Zoning Commission create an extraordinary or exceptional situation or condition so as to fulfill the statutory variance requirement." *Id.* at 1095–96. Ultimately, the term "extraordinary or exceptional condition" was "designed to serve as an additional source of authority enabling the Board to temper the strict application of the zoning regulations in appropriate cases." *DeAzcarate v. District of Columbia Bd. of Zoning Adjustment*, 388 A.2d 1233, 1237 (D.C. 1978).

Furthermore, the "public need for the use is an important factor in granting or denying a variance and the apparently objective standards of the enabling acts are applied differently to the

several kinds of uses.” *Monaco*, 407 at 1098. In *Monaco*, the D.C. Court of Appeals “permitted the BZA to apply a more flexible standard for determining hardship when a ‘public service’ or nonprofit entity is the applicant.” *Nat’l Black Child Dev. Inst.*, 483 A.2d at 690. Similarly, in *BZA Order No. 17316*, the Board approved an application from Randle Highlands Manor LP and the Anacostia Economic Development Corporation, stating that “the area variances are not sought to ensure any profit, but rather to enable the development of affordable housing at a site designated by the District of Columbia government for that purpose.” *BZA Order No. 17316* at 12; *see also BZA Order No. 18272* at 8 (“[T]he burden of proof for variance relief as to the first two elements is lessened for non-profits or public service organizations.”).

The case law and Board precedent referenced above is directly applicable to the present application. In collaboration with the Interagency Council on Homelessness, the District determined that D.C. General needs to be replaced with smaller, short-term family housing facilities in order to provide the kind of services that help families exit shelters as quickly as possible. These types of facilities are more cost effective and will make the best possible use of taxpayer dollars by more quickly and effectively lifting families out of homelessness. In 2015, the D.C. Council passed legislation that provided the framework for replacing D.C. General. The District’s goal is to have the new sites open and available to accommodate families and, in turn, close DC General by 2020.

As discussed above, a key component of the Homeward D.C. initiative is to provide wrap-around services on-site, including case workers, meals, computer facilities, and additional area for outside program providers. The Project will also include private and family bathrooms¹ and shower facilities, appropriate recreation spaces, common rooms, a dining room, and staff

¹ The bathroom ratio is dictated by the D.C. Council, but it is important to note that families in crisis at D.C. General are currently using a locker room-style facility for bathrooms and showers, which provide no privacy and limited security.

offices and meeting rooms. Given the goal of closing DC General, the Project is also driven by the need to house up to 50 families. The lack of viable sites that could meet the District's programmatic requirements creates an exceptional situation and condition for the Property that directly impacts the Applicant's ability to provide a zoning-compliant project.

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

Strict application of the Zoning Regulations with respect to height and number of stories (Subtitle F § 303.1), loading (Subtitle C § 901.1), and number of primary structures on one lot (Subtitle C §302.2) would result in a practical difficulty to the Applicant.

In order to close D.C. General, the District undertook a year-long search for feasible sites that were capable of meeting the short-term family housing demand in each ward of the city. The search began with publicly-owned properties, both District and Federal. After an exhaustive search, the Council identified the Property for the proposed short-term family housing facility in Ward 3.² Moreover, the program is limited in the development process by the proposed legislation authorizing the program's budget. Thus, the strict application of the Zoning Regulations would give rise to a practical difficulty for the Applicant as it would not be able to fully carry out its objective of closing D.C. General and addressing homelessness by establishing a new short-term family housing facility with wrap around services in each ward of the city.

1. Height and Number of Stories (Subtitle F § 303.1)

A height of 40 feet and three stories is permitted in the RA-1 District under Subtitle F § 303.1. The Applicant requests relief to build to a height of 72 ft. and six stories. The need for this relief is directly related to the programmatic needs of the Project, the Property's topography, and the location of existing structures and community gardens on the lot. Also, the minimal-

² The site was selected by D.C. Council Act 21-412. Notably, the selection of the site is not germane to the zoning standard before the Board.

acceptable ceiling heights for the Project are driven by the required duct work for the mechanical distribution system, and drainage piping, and the low-slope green roof; all of which contribute to the building's height.

Specifically, in order to achieve the optimal facility, the Applicant proposes to limit the number of sleeping units on each floor to 10 to ensure a small, family environment. However, in order to adequately replace D.C. General, the Project seeks to provide 50 sleeping units for families experiencing homelessness. To incorporate 50 sleeping units while limiting the number of units per floor, the Project requests additional building height and stories beyond the matter-of-right.

Furthermore, Lot 849's topography coupled with the existing police headquarters, refueling station, parking lot, and the Community Garden strictly limit where the Project may be situated. The Applicant's architects studied and evaluated multiple locations for the Project on the lot, but given the topography, existing structures, community gardens, and traffic flow, the Project is located on the most viable part of the lot. As a result of this limitation, relief from the height and story requirements is needed. Accordingly, the Applicant would face a practical difficulty if relief for height and number of stories is not granted.

2. *Loading (Subtitle C § 901.1)*

For an emergency shelter use with a gross floor area between 30,000 and 100,000 square feet, the Project is required to provide one loading berth and one service/delivery space. The Project does not provide a loading berth or a service-delivery area and requests relief from this requirement.

The need for relief arises from the pre-existing structures and community gardens to the west, the site's topography, and the Project's programmatic needs. Specifically, the pre-

existing MPD building and community gardens limit the amount of area the building may occupy on the lot and, therefore, inhibits the Project's ability to incorporate a loading berth and delivery space. The Property's topography, particularly the grade change from the Project's location toward the west and the community gardens, makes it practically difficult to expand toward the rear of the site because the Applicant would have to fill-in land to level the Property. The Project must also incorporate various programmatic elements, including space for wrap-around services and recreational space for children, on a relatively limited lot size. Finally, it should be noted that the Project will not be receiving large shipments or deliveries, and a majority of the families moving into the Property will not have many personal items; thus, a loading berth is not a necessity. The most frequent delivery to the Property will be food delivery, which will be done by a van, not a large truck.

Therefore, the Applicant requests relief from the loading berth and service/delivery space requirement.

3. *Two Primary Structures on One Lot (Subtitle C §302.2)*

Under Subtitle C § 302.2, each new primary structure must be erected on a separate lot of record in the RA-1 District. The Project proposes a new primary structure on Lot 849 where, as previously mentioned, the MPD Station is located. The Applicant would face a practical difficulty in complying with this requirement due to the nature of the Project.

As noted above, the D.C. Council passed Act 21-412 selecting the Property as the site in Ward 3 for the short-term family housing program. The Property being owned by the District was an important factor in the selection of the Property; this factor was cited as a means to decrease costs for the "Homeward D.C." program. Accordingly, the Applicant is required to construct the shelter on the Property, which necessarily includes sharing the lot with another

primary structure, the MPD second district station. Absent the requested zoning relief from Subtitle C §302.2, the Applicant will face a practical difficulty in meeting the programmatic needs of the Project, including complying with the D.C. Council’s resolution.

C. No Substantial Detriment to the Public Good or Impairment of the Zone Plan

There will be neither substantial detriment to the public good nor substantial impairment of the intent, purpose, and integrity of the zone plan by approving the requested relief. The construction of a new emergency shelter facility with safe and secure accommodations is consistent with the law and policies of the District, and will be a great benefit to the District’s families that experience an episode of homelessness. The Project will offer temporary accommodations to families in private rooms, and will provide the wrap-around supportive services necessary to assist families transitioning to permanent housing. For all these reasons, the Applicant meets the requirements for variance relief in this case.

VI. NATURE OF SPECIAL EXCEPTION RELIEF AND STANDARD OF REVIEW

Special exception relief is required to operate an emergency shelter in the RA-1 zone in accordance with Subtitle U § 420.1(f). Additionally, the Board may grant special exception relief from the minimum parking requirements pursuant to Subtitle C § 703.1. Under D.C. Code § 6-641.07(g)(2) and Subtitle X § 901.2, the Board is authorized to grant a special exception where it will be in harmony with the general purpose and intent of the zone plan and will not tend to adversely affect the use of neighboring property, subject to the special conditions specified in each case. Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific requirements for the relief are met. In reviewing an application for special exception relief, “[t]he Board’s discretion . . . is limited to a determination of whether the exception sought

meets the requirements of the regulation.” *First Baptist Church of Wash. v. District of Columbia Bd. of Zoning Adjustment*, 432 A.2d 695, 701 (D.C. 1981) (quoting *Stewart v. District of Columbia Bd. of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.*

VII. APPLICANT MEETS THE BURDEN OF PROOF FOR A SPECIAL EXCEPTION AS TO EMERGENCY SHELTER USE AND MINIMUM PARKING

A. Special Exception for Emergency Shelter Use

Pursuant to Subtitle U § 420.1(f), the Board may approve an emergency shelter for five to twenty-five persons in the RA-1 District. The Project meets these requirements as follows.

420.1(f) (1) There shall be no other property containing an emergency shelter for seven (7) or more persons either in the same square or within a radius of five hundred feet (500 ft.) from any portion of the property.

There is no emergency shelter located in Square 1818 or within 500 feet of the Property.

In fact, the Project would be the first emergency shelter in all of Ward 3.

420.1(f) (2) There shall be adequate, appropriately located, and screened off-street parking to provide for the needs of occupants, employees, and visitors to the facility;

The Project will provide 12 off-street parking spaces for occupants, employees, and visitors. The parking spaces will be screened from Idaho Avenue, NW and the properties located to the south of Lot 849 by landscaping elements. The parking spaces will be screened to the west by a pre-existing 10-foot wall that separates the Project from the community gardens.

420.1(f)(3) The proposed facility shall meet all applicable code and licensing requirements;

The Project will meet all code and licensing requirements.

420.1(f) (4) The facility shall not have an adverse impact on the neighborhood because of traffic, noise, operations, or the number of similar facilities in the area;

The Project will not have an adverse impact on the neighborhood. The facility will be self-contained, with all necessary services provided on-site and sufficient buffers between the Project and abutting properties. Additionally, there are no emergency shelters located in the nearby area.

420.1(f) (5) The Board of Zoning Adjustment may approve more than one (1) community-based residential facility in a square or within five hundred feet (500 ft.) only when the Board of Zoning Adjustment finds that the cumulative effect of the facilities will not have an adverse impact on the neighborhood because of traffic, noise, or operations; and

Again, there are no emergency shelters in Square 1818 or within 500 feet of the Property.

As such, this section is not applicable for the Project.

420.1(f) (6) The Board of Zoning Adjustment may approve a facility for more than twenty-five (25) persons, not including resident supervisors or staff and their families, only if the Board finds that the program goals and objectives of the District of Columbia cannot be achieved by a facility of a smaller size at the subject location and if there is no other reasonable alternative to meet the program needs of that area of the District.

As the detailed discussion above makes clear, the Project's goals and objectives cannot be achieved with a smaller facility that serves 25 people or less. From an efficiency perspective, to justify the extensive wrap-around services that will be provided on-site, the Project must serve a larger number of people. The concept proposed by the Homeward D.C. initiative aims to create smaller, family-scale environments on each floor of the Project, but comprehensive on-site services are not as efficient for a facility with fewer than the 50 sleeping units proposed.

B. Special Exception from Minimum Parking Requirement

The Project proposes to provide 12 off-street parking spaces. Pursuant to the table in Subtitle C § 701.5, an emergency shelter must provide .5 parking spaces per 1,000 square feet of gross floor area. The Project proposes 41,200 square feet of gross floor area, which requires a minimum of 21 parking spaces.

However, under 11 DCMR Subtitle C § 703.2, the Board may grant “a full or partial reduction in the number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant’s demonstration of at least one of the following” factors, which include:

(a) *Due to physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*

While lot 849 is a relatively large lot, the existing MPD Station, including the MPD parking lot and the re-fueling station, occupy a significant portion of the site. The MPD Station has programmatic needs for its own parking, which greatly exceeds the minimum parking requirement in the zone. Importantly, these pre-existing structures severely limit the available space for the Applicant to provide the requisite number of parking spaces. Similarly, the community gardens, to the west of the Project cannot be disturbed, and do not offer a viable location for additional parking.

(b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*

The Applicant contends that 12 off-street parking spaces will be sufficient to accommodate the needs of the Project. The Property is in an area that is well serviced by several Metrobus lines. There is a Capital Bikeshare station and a Zipcar pickup station only 1 ½ blocks from the Property. Importantly, the vast majority of families accessing homeless services in the District rely on the use of public transportation and do not have access to personal vehicles. Furthermore, meals will be delivered to the Property and other social services will be provided on-site, so the need for a vehicle will be greatly reduced.

Given the challenges associated with providing additional parking on-site, the Applicant requests parking relief from the requirements of Subtitle C § 701.5.

VIII. CONCLUSION

For all of the reasons stated above, the Project meets the applicable standards for variance and special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted,





GRIFFIN, MURPHY,
MOLDENHAUER & WIGGINS, LLP



By: Meredith H. Moldenhauer

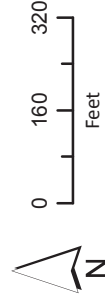
TAB A

Legend

-  Final PUD
-  Neighborhood Mixed-Use Zone
-  Residential Apartment Zone
-  Residential Zone



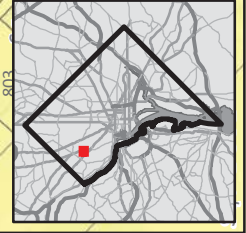
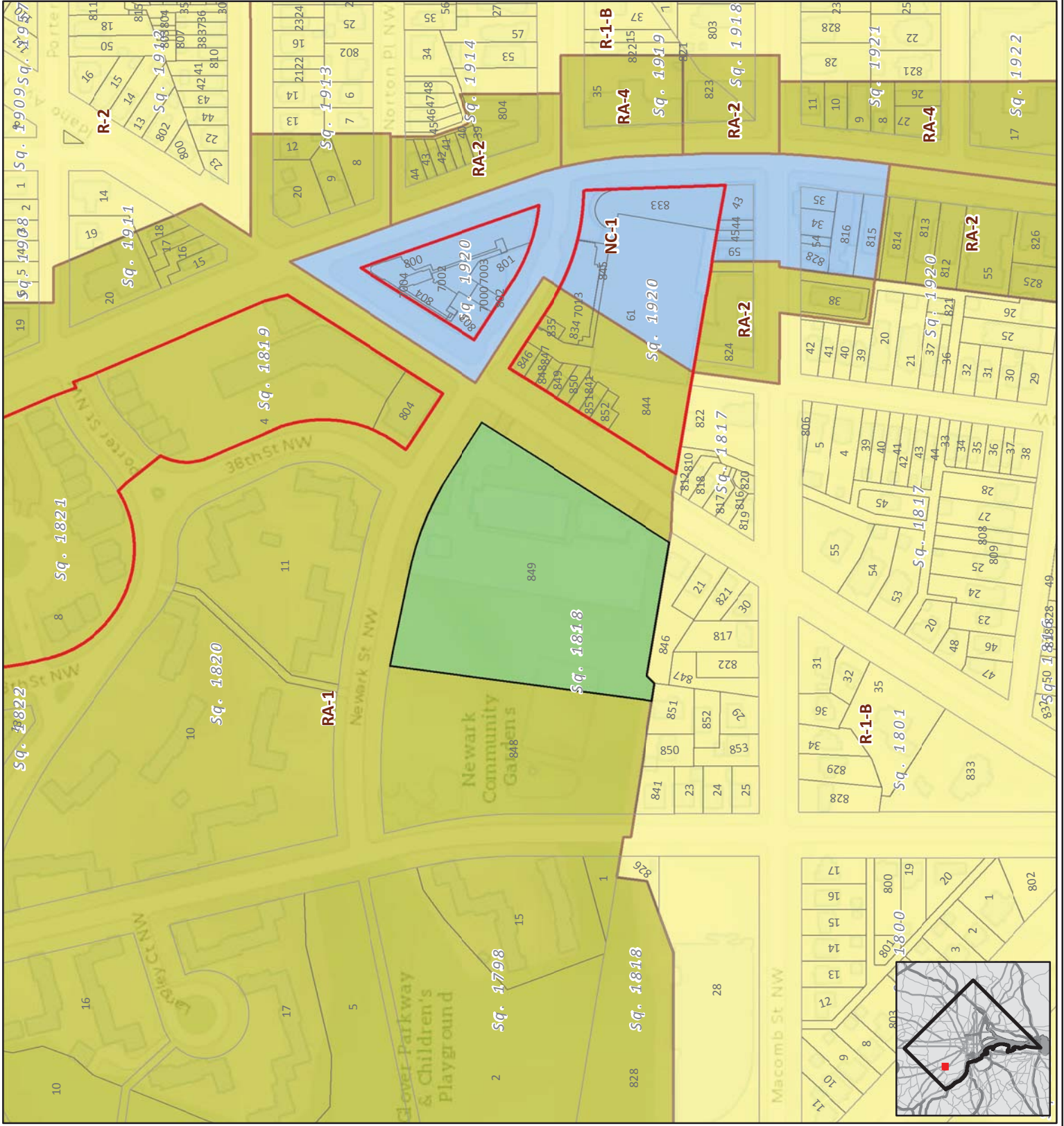
Zoning Map of the District of Columbia



Extracted from Online Zoning Information published by the District of Columbia Office of Zoning, DCGIS, and Office of the Chief Technology Officer (OCTO) Exported on: 1/3/2017

To certify zoning on any property in order to satisfy a legal requirement, contact the office of Zoning at the address listed below.

District of Columbia Office of Zoning,
441 4th St NW, Suite 200 South, Washington, DC 20001
202-727-6311 | dcoz@dc.gov



TAB B



WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC

G0.00	DRAWING INDEX
G0.01	SITE LOCATION + ZONING
G0.02	SITE CONTEXT
G0.03	ZONING ANALYSIS
C1.0	SITE PLAN
L1.0	LANDSCAPE PLAN
A1.01	BASEMENT PLAN
A1.02	FIRST FLOOR PLAN
A1.03	TYPICAL FLOOR PLAN
A1.04	ROOF PLAN
A1.10	SUN STUDIES
A2.01	EAST ELEVATION
A2.02	SOUTH ELEVATION
A2.03	WEST ELEVATION
A2.04	NORTH ELEVATION
A3.01	RENDERING



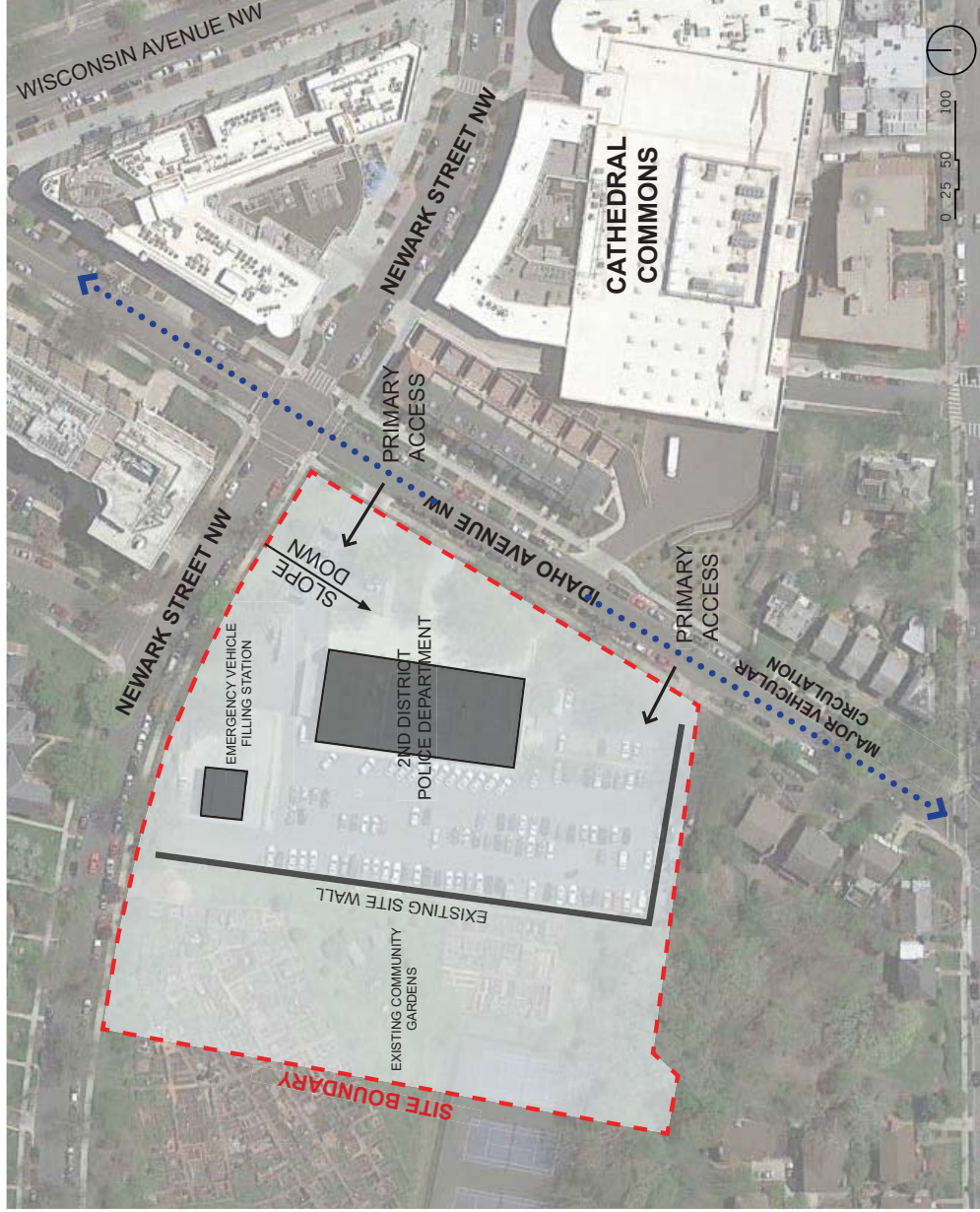
DRAWING INDEX **GO.00**
JANUARY 4, 2017



WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC

LOCATION: 3320 IDAHO AVE NW
SQUARE: 1818
LOT: 849
ZONE: RA-1
SITE AREA: 200,965 SQFT



SITE LOCATION + ZONING **GO.01**

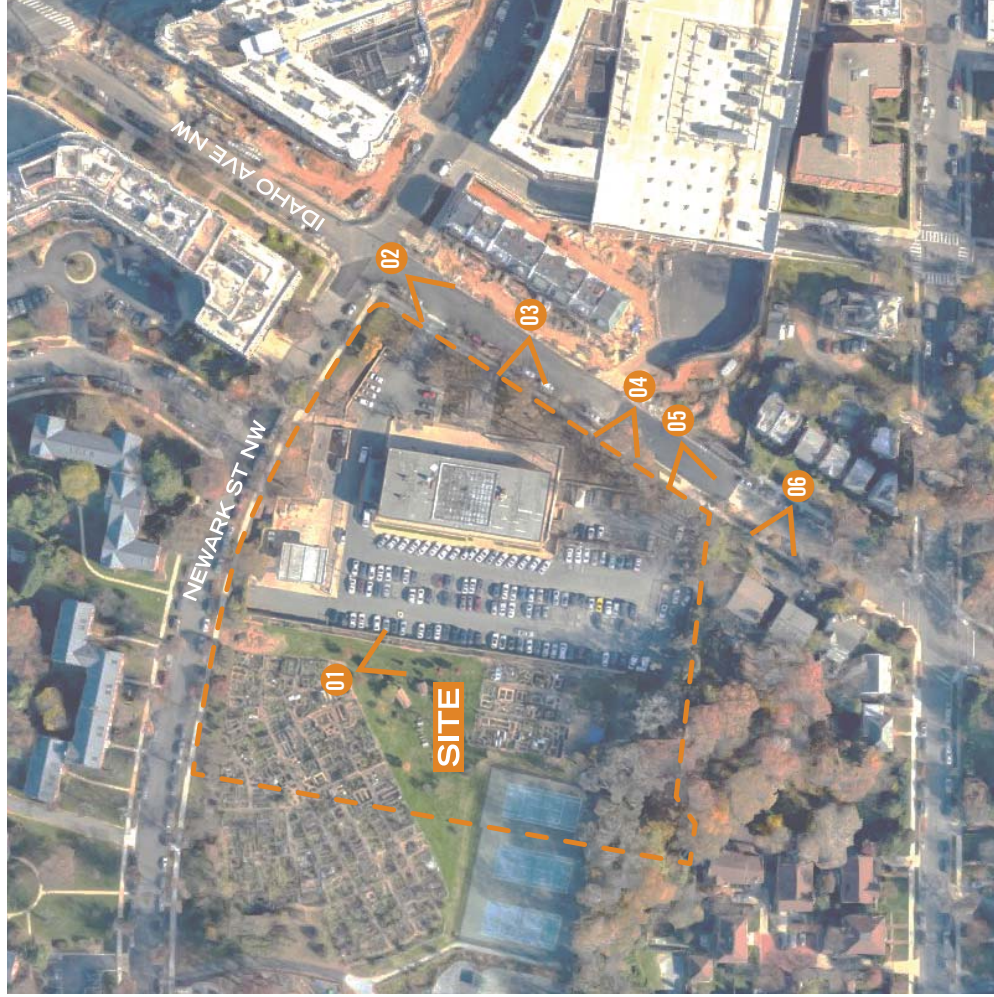
JANUARY 4, 2017





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3320 IDAHO AVE NW, WASHINGTON, DC



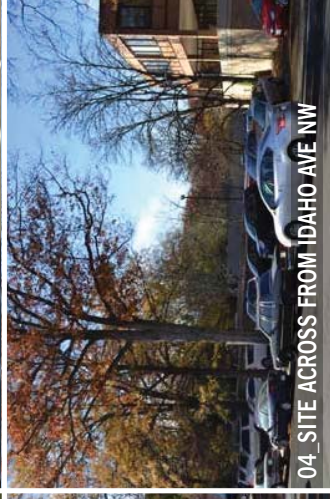
01 SITE FROM COMMUNITY GARDENS



02 SOUTH DOWN IDAHO AVE NW



03 2D MUNICIPAL POLICE DEPARTMENT



04 SITE ACROSS FROM IDAHO AVE NW



05 SITE ACROSS DOWN IDAHO AVE NW



06 NEIGHBORING BUILDINGS

SITE CONTEXT **GO.02**

JANUARY 4, 2017





WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC

EXISTING SITE SUMMARY

Location: 3320 Idaho Ave NW, Washington, DC 20016
 Description: New Construction
 Ward/ANC: 3/3C
 SSL: Square 1818, Lot 849
 Site Area: 200,965 sqft (recorded)
 Zone: RA-1

ZONING DATA

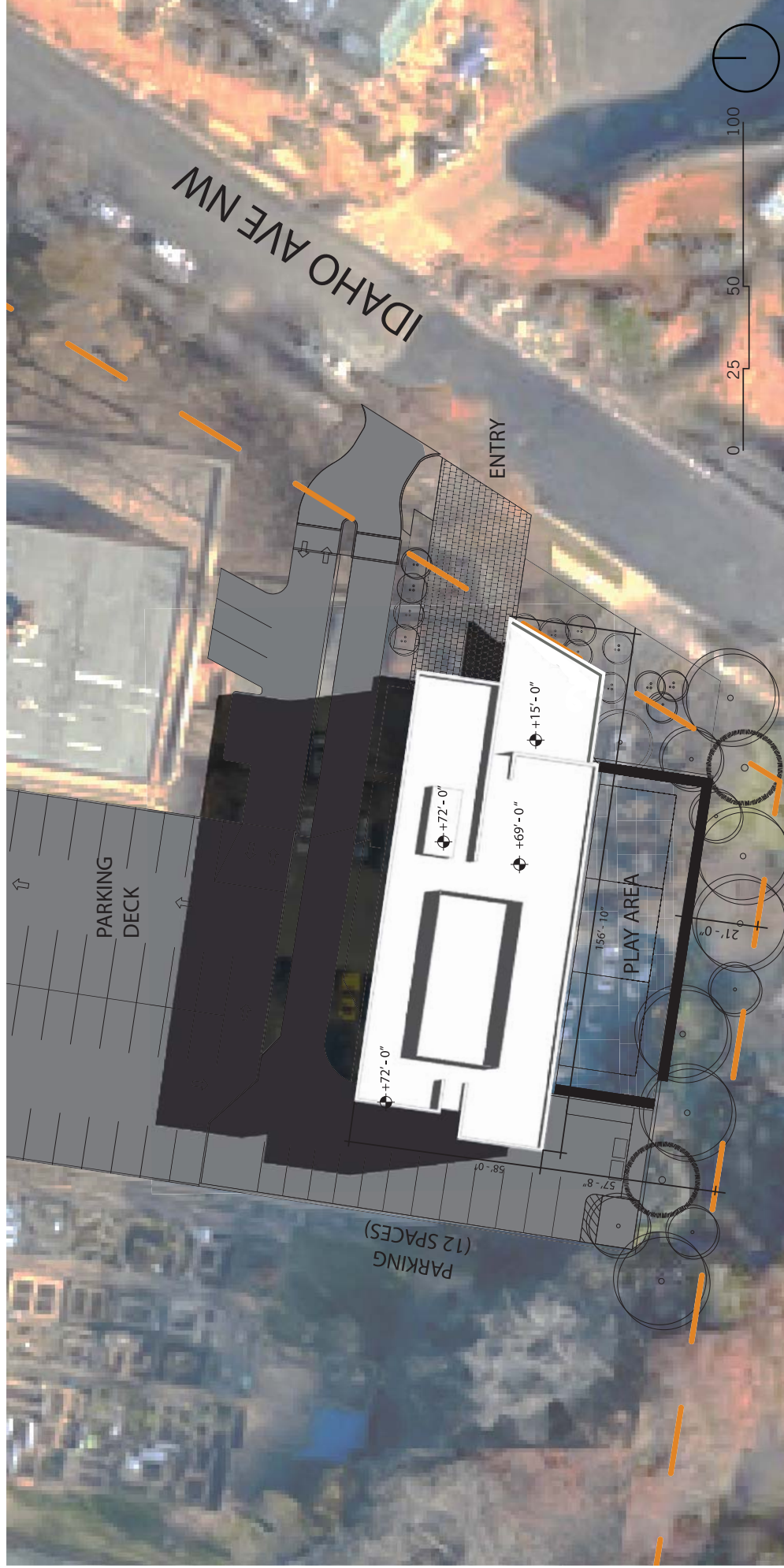
	Allowed/Required	Actual	Relief Requested
Use	Subtitle F 100.1 - Urban residential development and compatible institutional and semi-public buildings. Subtitle F 300.1(b) - Permits construction of institutional and semi-public buildings. Subtitle U 420.1(f) - Emergency shelter permitted as a special exception in RA zone.		
FAR	.9 / 180,656.5 sqft	.65 / 130,627.3 sqft	
Height	40' - 0" / 3 Stories	72' - 0" / 6 Stories	
Penthouse	Max Height - 12' - 0" Max Stories - 1 Story	N/A	
Lot Occ.	40% / 80,386 sqft	28% / 56,270.2 sqft	
Rear Yard	20' - 0"	205' - 0"	
Side Yard	3" per 1'-0" of height (18' - 0" req'd) 8'-0" minimum	23' - 0"	
Loading	1 Loading Berth	0	
GAR	0.4		
Bicycle Parking	1 per 10,000 sqft long term 1 per 10,000 sqft short term		
Parking	.5 per 1,000 sqft (21 req'd)	11	

Not For Construction
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WARD 3 SHORT TERM FAMILY HOUSING

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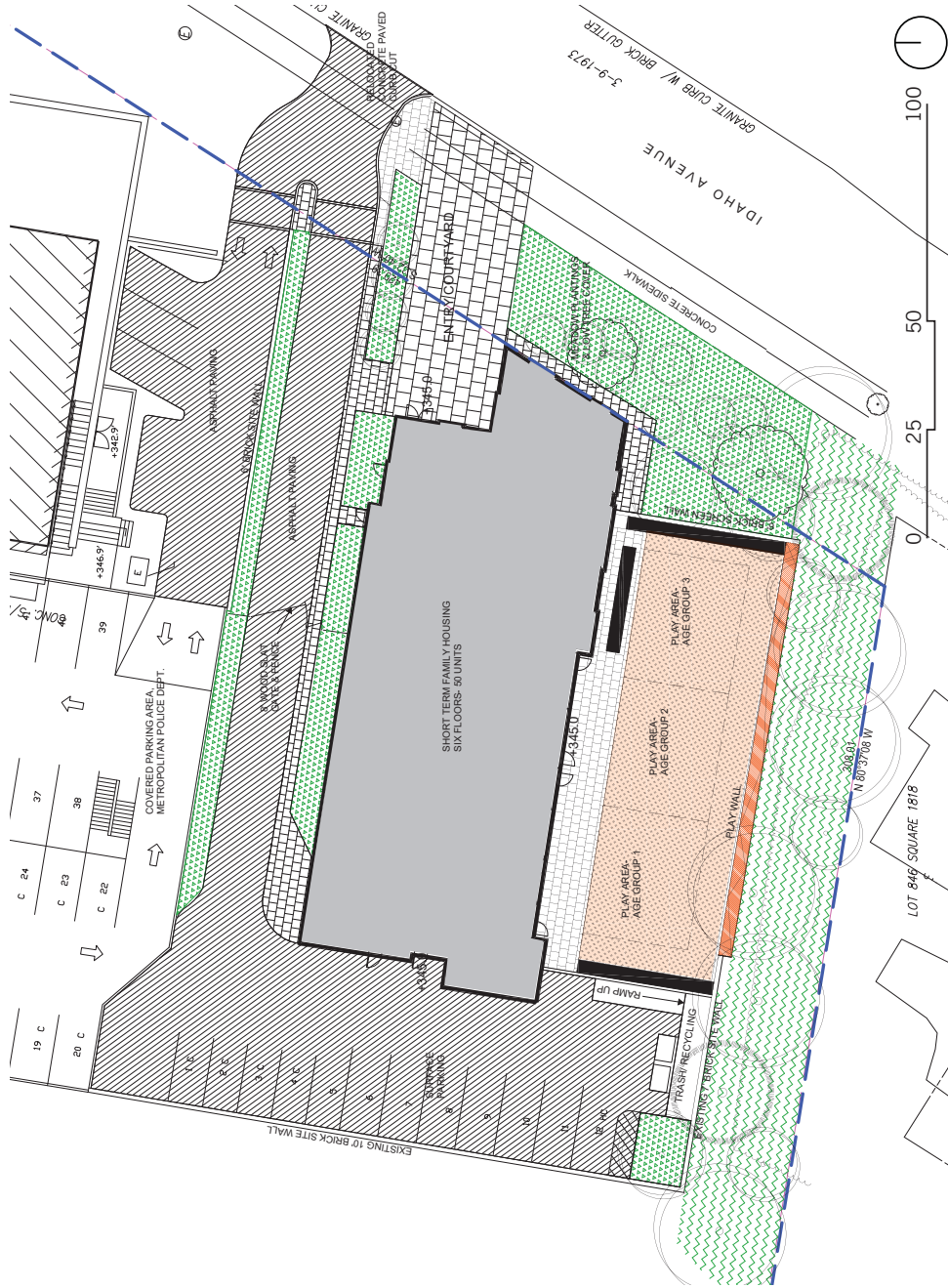


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WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



SURFACE PARKING LANDSCAPE REGULATIONS:

TITLE 11 CHAP 21: LANDSCAPE REQUIREMENTS:

2111.1 Surface parking areas with ten (10) or more parking spaces shall conform to the landscaping, tree canopy cover, screening, and lighting requirements as set forth in this section:

- (a) A minimum of ten percent (10%) of the total area devoted to parking, including aisles and driveways shall be covered by landscaped areas planted with trees and shrubs;
- (b) The landscaping shall be maintained in a healthy, growing condition; Dead or dying landscaping shall be replaced;
- (c) All end islands of parking rows longer than nine (9) parking spaces, and all otherwise not used for ingress and egress, aisles, and parking spaces shall be landscaped;
- (d) Landscaping around the perimeter of the parking area may count toward the area requirement of this subsection up to a distance of six feet (6 ft.) from the pavement;
- (e) All newly planted trees shall have a minimum diameter of two and one-half inches (2.5 in.), all new trees shall be planted or retained in a space that provides a minimum of five hundred (500) cubic feet of soil volume per tree; and
- (f) Trees shall be planted at a minimum of four feet (4 ft.) from any protective barrier, such as curbs or wheel stops with no horizontal dimension less than four feet (4ft.) and a minimum depth of three feet (3 ft.).

ZONING CASES 08-06 CHAP. 15: LANDSCAPING SCREENING

- 1500.1 A surface parking area shall have screening around its entire perimeter, subject to the standards of 1510.9 and 1510.10, when the parking area is either:
 - (a) Within a zone other than a PDR zone; or
 - (b) In a PDR zone and abutting property in a zone in Subtitle D (Residential House).
- 1500.2 The screening required by 1510.8 shall be either:
 - (a) A solid brick or stone wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high; or
 - (b) Evergreen hedges or evergreen growing trees that are thickly planted and maintained, and that are at least forty-two inches (42 in.) in height when planted
- 1500.3 Gaps in the screening are allowed only to provide driveways and pedestrian exits or entrances that open directly onto a street. No individual gap may exceed twenty-four feet (24 ft.) in width.
- 1500.4 Any lighting used to illuminate a parking area or its accessory buildings shall be arranged so that all direct light rays are confined to the surface of the parking area.

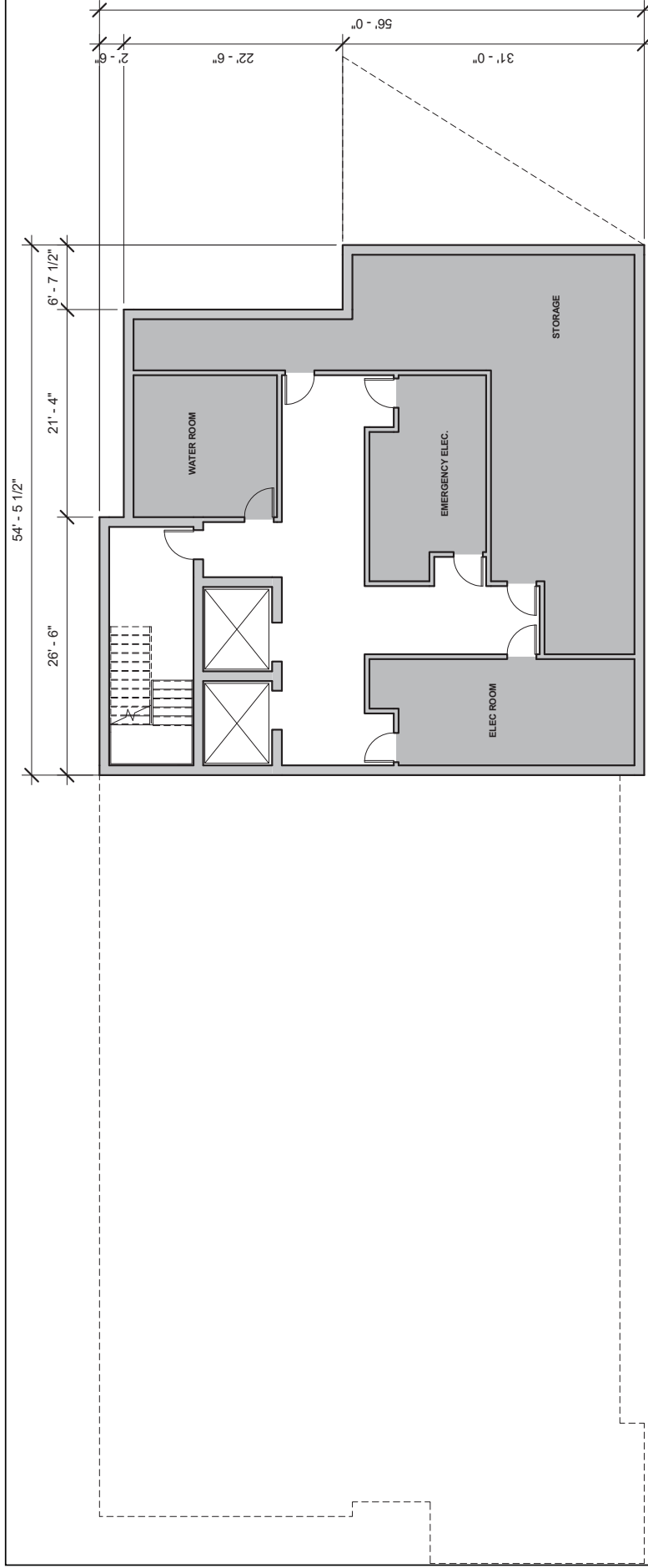
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A1.01

3/32" = 1'-0"

BASEMENT PLAN

JANUARY 4, 2017





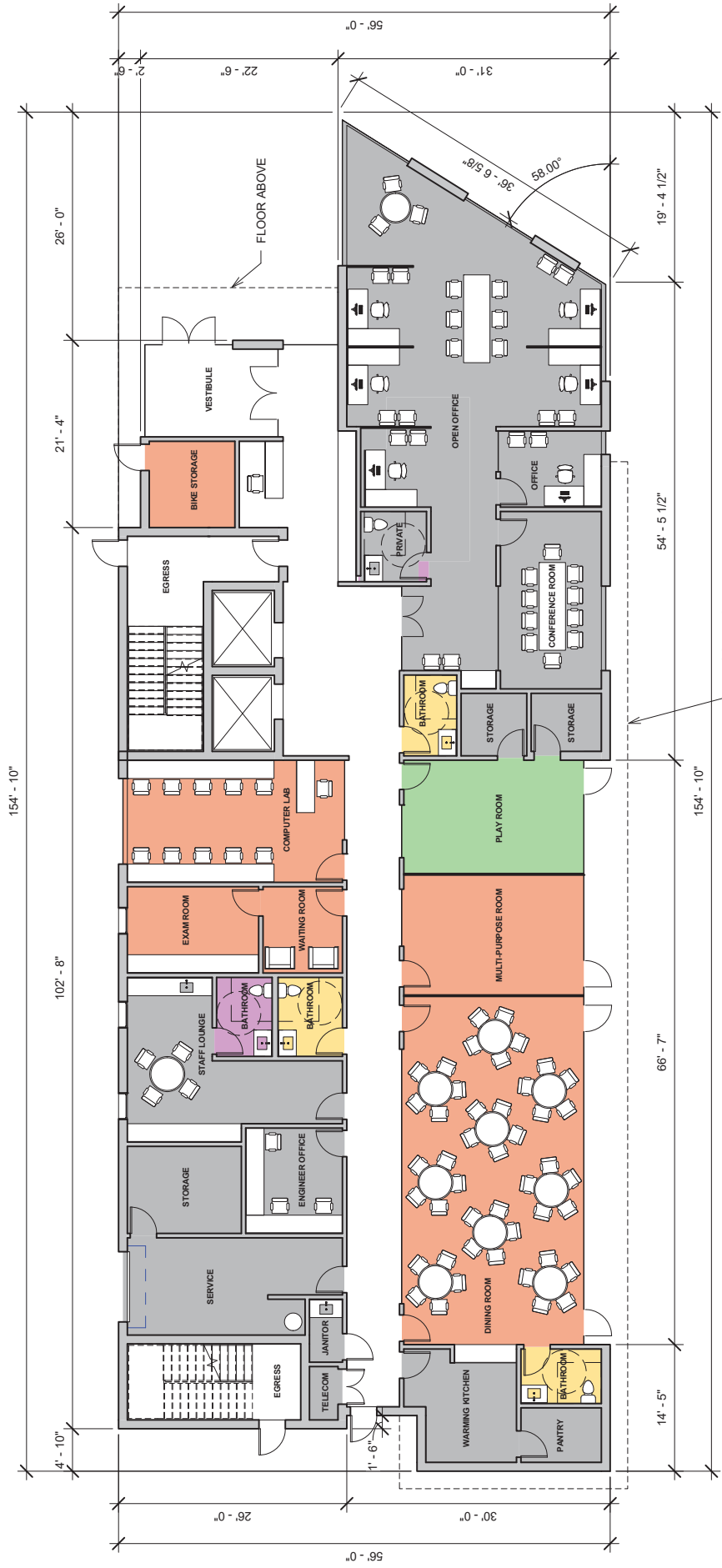
WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



3/32" = 1'-0" FIRST FLOOR PLAN A1.02

JANUARY 4, 2017



- COMMON SPACES
- ADMIN SPACES
- PLAY SPACES
- RESIDENT UNITS
- FAMILY BATHROOMS
- PRIVATE BATHROOMS

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WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



- COMMON SPACES
- ADMIN SPACES
- PLAY SPACES
- RESIDENT UNITS
- FAMILY BATHROOMS
- PRIVATE BATHROOMS

TYPICAL FLOOR PLAN A1.03 (FLOORS 2-6)

3/32" = 1'-0"

JANUARY 4, 2017

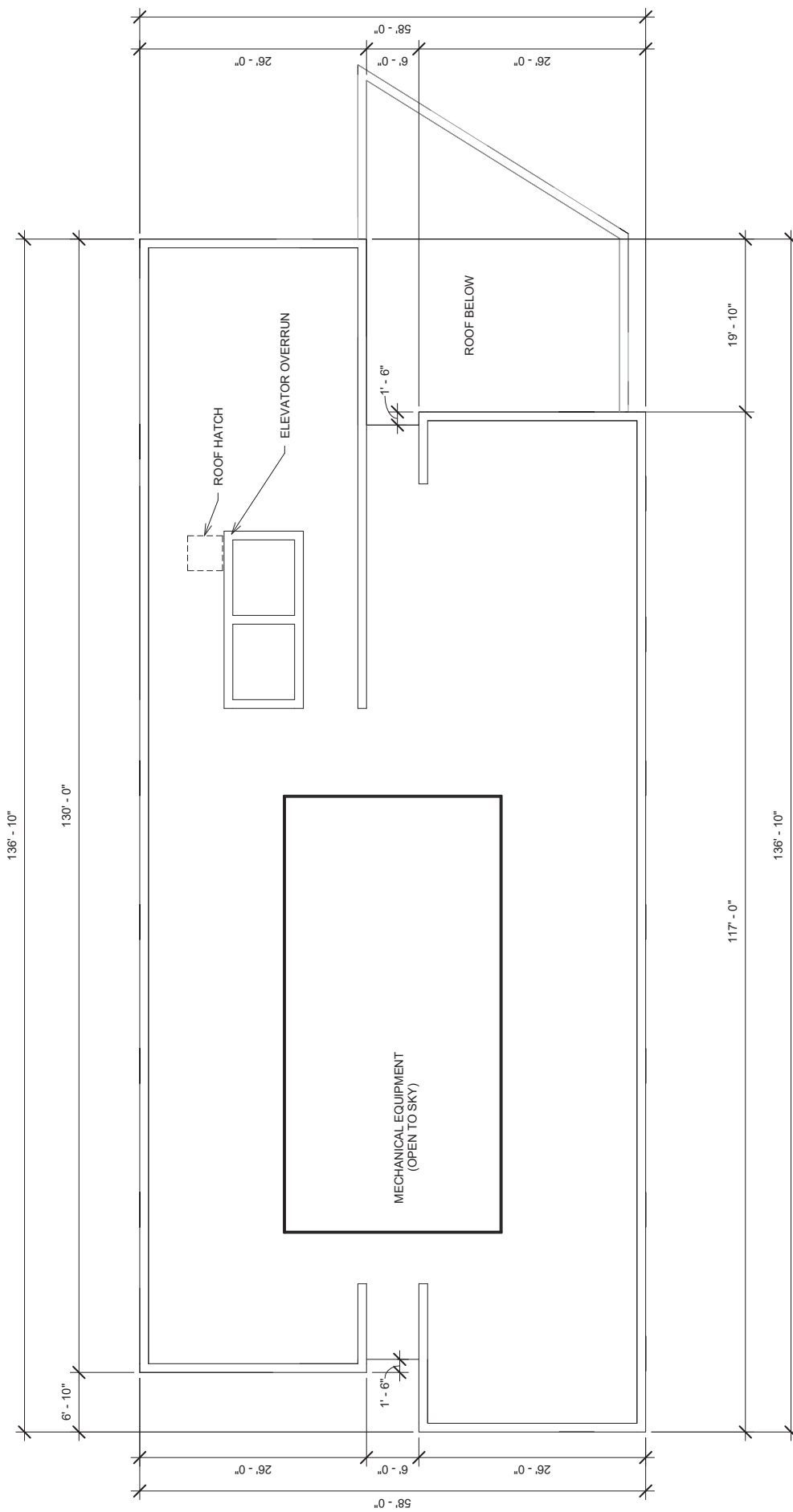
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ROOF PLAN **A1.04**

3/32" = 1'-0"

JANUARY 4, 2017





WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



SPRING / FALL EQUINOX 9 AM



1030 AM



12 PM



3 PM



SUMMER SOLSTICE 9 AM



1030 AM



12 PM



3 PM

SUN STUDIES **A1.10**

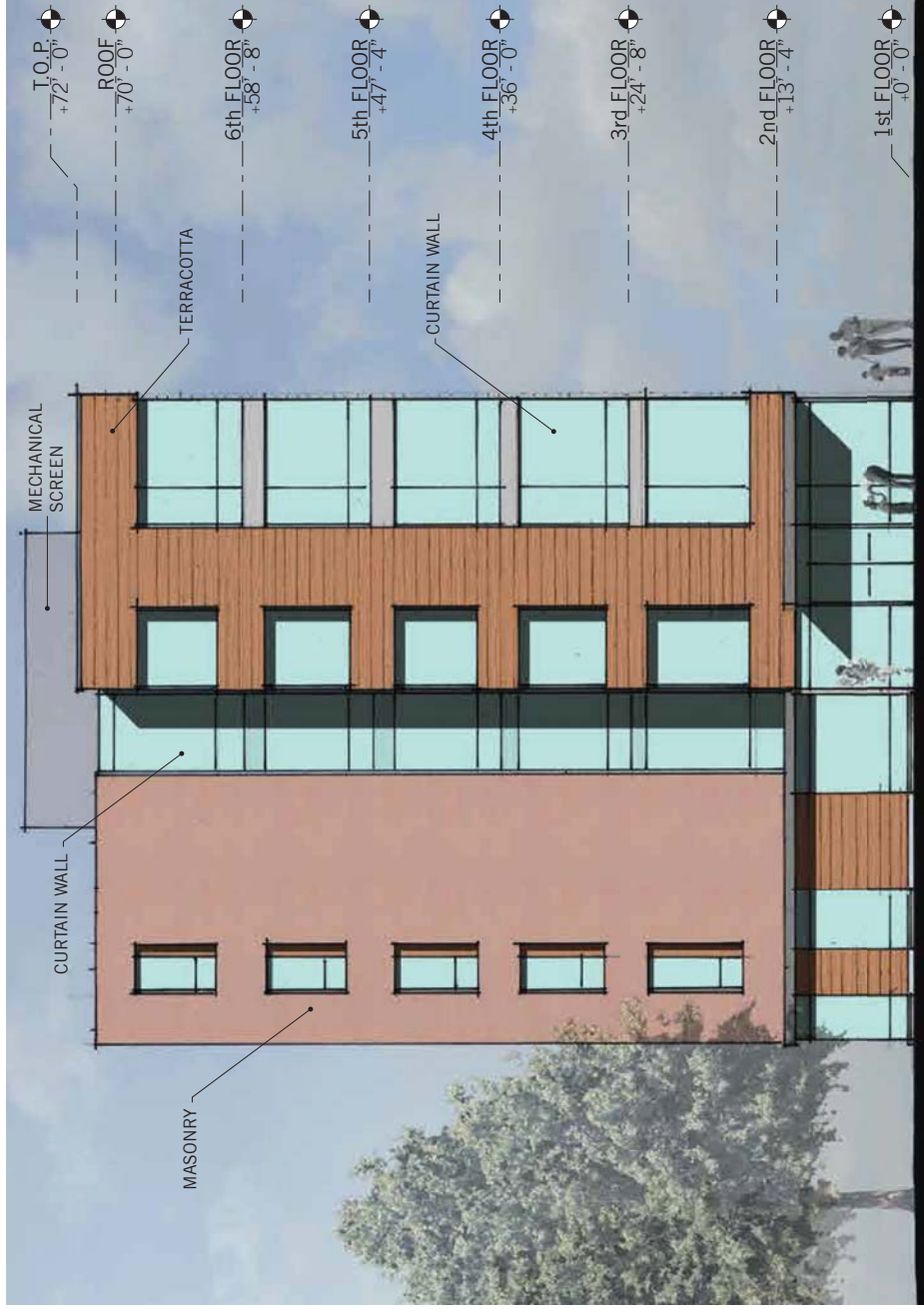
JANUARY 4, 2017





WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



BASEMENT
-10'-0"



A2.01

3/32" = 1'-0"

EAST ELEVATION

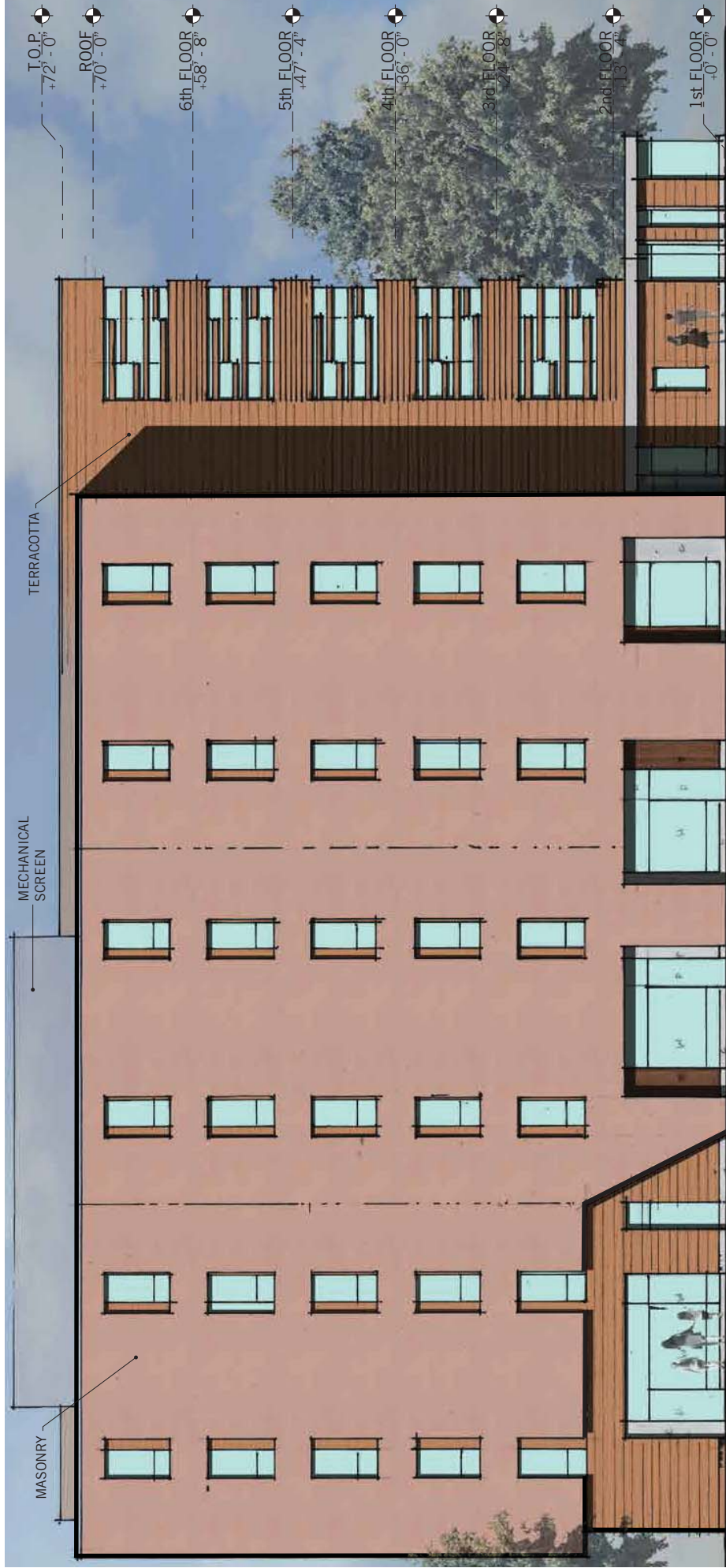
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3/32" = 1'-0"

SOUTH ELEVATION

A2.02

JANUARY 4, 2017

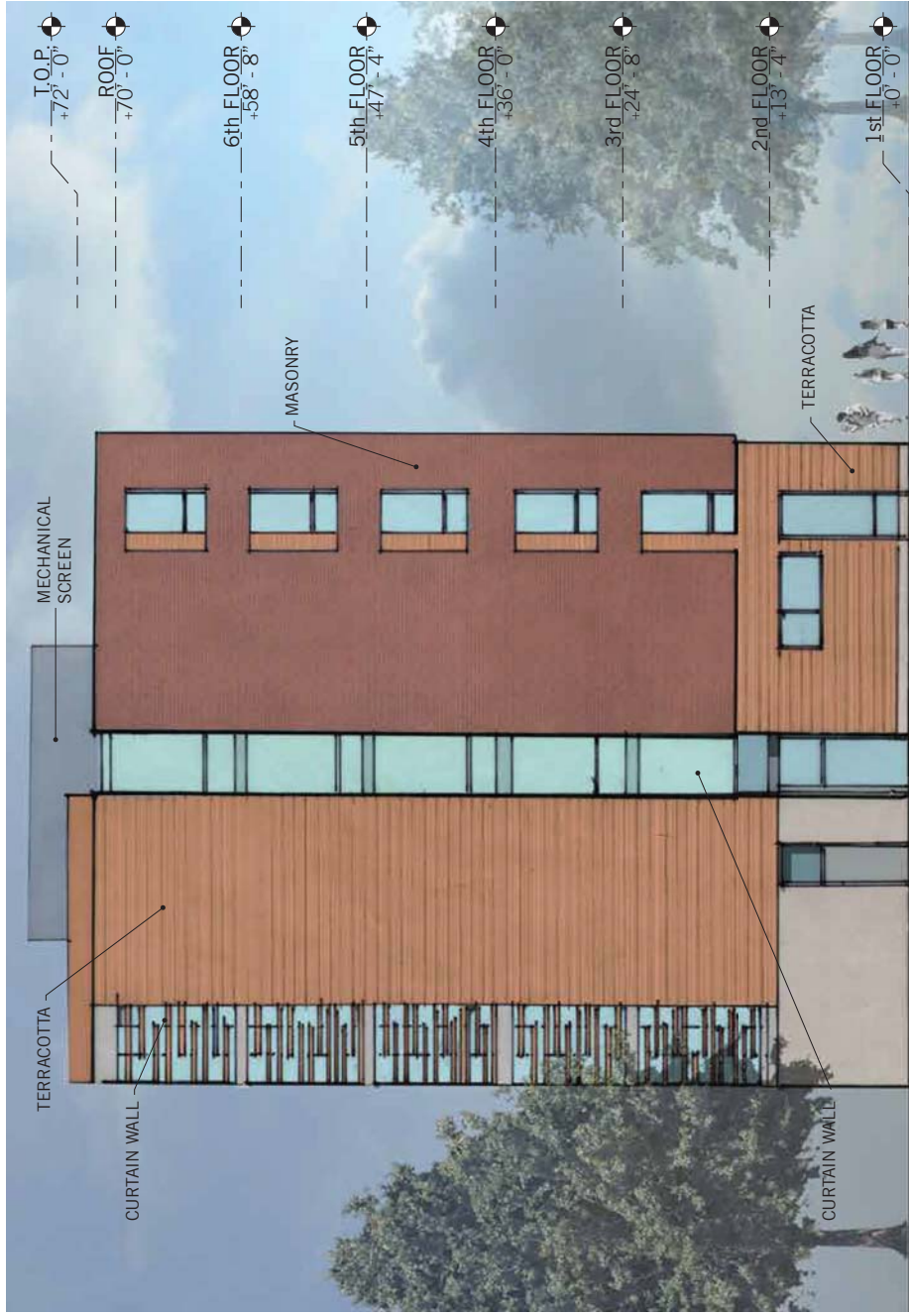
BASEMENT
-10'-0"

AYERS
SAINT
GROSS



WARD 3 SHORT TERM FAMILY HOUSING

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3/32" = 1'-0" WEST ELEVATION **A2.03**
 JANUARY 4, 2017



WARD 3 SHORT TERM FAMILY HOUSING

3320 IDAHO AVE NW, WASHINGTON, DC



BASEMENT
-10'-0"

3/32" = 1'-0" NORTH ELEVATION **A2.04**

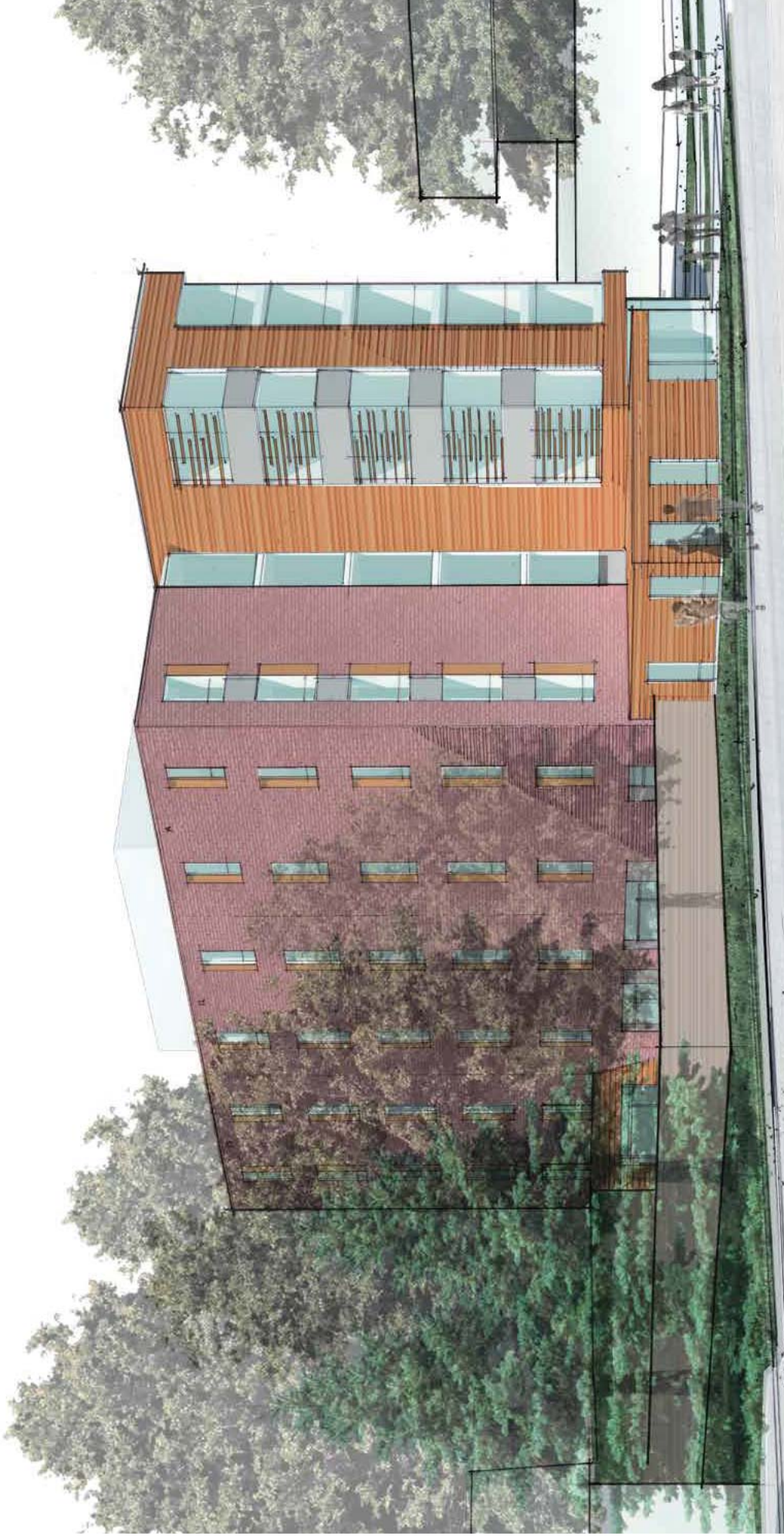
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RENDERING **A3.01**

JANUARY 4, 2017

AYERS
SAINT
GROSS