GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

D.C. OFFICE OF ZONING
2001 JUN 12 PM 4:28

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman

DATE: June 26, 2001

SUBJECT: BZA Case # 16720 Variance Request

APPLICATION-IN-BRIEF

Applicant: The Glorious Church.
314 – 316 Randolph Place, N.E.
Square 3571, Lot 18

Relief Sough: Variance from the off-street parking requirements for The Glorious Church,

From Section: 11 DCMR §2101.1

Relief Sought Under: §3103.2

OFFICE OF PLANNING RECOMMENDATION-IN-BRIEF

The Office of Planning recommends the subject applicant be approved.

Applicant's Justification:

The applicant is requesting a variance for The Glorious Church from the off-street parking requirements, in the C-M-2 zone. It is the applicant's position that the size, shape and configuration of the subject lot and the location of existing building on the lot are such that full compliance with §2101.1 is not possible.

BZA
Case No. 16720
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO.16720
EXHIBIT NO.25

SITE AND AREA DESCRIPTION

The subject premises are in the Eckington neighborhood of Ward 5. The neighborhood is a triangular-shaped area, generally bounded by Rhode Island Avenue to the northwest, B & O Railroad Tracks to the northeast and Florida Avenue to the south. The Eckingtion neighborhood is developed mostly with row houses and garden/mid-rise apartment structures. The entire northeastern portion of the neighborhood (along the B&O Railroad Track) is industrially developed, anchored by the Federal Express facility, at the intersection of Florida & New York Avenues. The Glorious Church is on the three hundred block of Randolph Street, N.E. The property has been used as a church for the past twenty years. Prior to the site being used as a church; the building had a long history of industrial uses. There are certificate of occupancy records that trace industrial uses at the subject building, as far back as 1956. Other uses on the block include an industrial leasing business, on the east side of the church, and a single-family home west of the parking lot, adjacent to the church. There is another church on the block, (James Memorial Baptist Church) on the northeast corner of Third & Randolph Streets. The entire south side of Randolph Street, N.E. (opposite the subject church) contains a D.C. Public Schools building. The building houses the facilities development and the capital improvement, design & construction divisions of the school system.

Commercial services for the subject area are provided along the Rhode Island and Florida Avenue corridors. The now closed McKinley Technology High School, Langley Jr. High School and Eckington Recreation Center are public institutions that consume the single largest set of uses in the neighborhood.

AREA ZONING

The subject structure was built prior to the Zoning Act of May 12, 1958 and does not comply with the strict application of the current Zoning Regulations. The subject premises are in the C-M-2 (commercial manufacturing, medium density) Zone District. The C-M districts are intended to provide sites for heavy commercial and light manufacturing activities employing large numbers of people and requiring some heavy machinery under controls that would minimize any adverse effect on other nearby more restrictive districts. The entire northeastern boundary of the subject neighborhood is in the C-M-2 zone district.

Most of the Eckington neighborhood, west of the C-M district is zoned R-4 (medium density residential) and consists predominantly of row dwellings. There are some apartment buildings in the neighborhood, principally on Rhode Island Avenue, First Street and on Lincoln Road.

The Edgewood Terrace Shopping Center, at 4th Street and Rhode Island Avenue, is the major commercial center serving the Eckington neighborhood. The center is zoned C-2-A medium density commercial. Additional retail services are available along the Rhode Island & Florida Avenue corridors, near the southern boundary of the neighborhood. All of the commercial areas in the Eckington neighborhood are zoned C-2-A.

APPLICANT'S PROPOSAL

The applicant is requesting relief in the form of a variance from the off-street parking requirements for a church located in the C-M-2 district. It is the applicant's position that the size, shape and configuration of the subject lot and the location of the existing building on the lot are such that full compliance with §2101.1 is not possible.

RELATIONSHIP OF THE APPLICATION TO THE COMPREHENSIVE PLAN

The Comprehensive Plan designates the area of the subject premises, adjacent to the B&O railroad tracks, as being in the ***Production and Technical Employment (PTE) Category*** and the remainder of the neighborhood is in the ***Moderate Density Residential Land Use category***. PTE areas are intended to encourage growth industries and industries with a high ratio of employees to land area occupied, such as office support systems, communications, printing and publishing, warehousing; and other commercial activities that generally do not occur in other commercial areas.

Row houses and garden apartments are the predominant uses in that portion of the neighborhood designated for moderate density residential. There are also some low-density houses in the Eckington neighborhood.

REQUESTED ZONING RELIEF

Pursuant to 11 DCMR § §3103, the applicant is requesting a variance from 22101.1 the off-street parking requirements, for a church in the C-M-2 zone.

AUTHORITY TO GRANT VARIANCE

11 DCMR § 3103.2 is the D.C. Code provision that authorizes the Board of Zoning Adjustment the power to grant the requested variances.

DOES THE APPLICATION MEET THE VARIANCE TEST?

> **Is the property unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition?**

Yes. The topography of the property eliminates both the front and rear yards from consideration as parking options. Although there are 22 feet of depth between the rear of the subject building and the property line, it would be difficult to grade the rear yard for parking, because the property slopes severely from north to south. Further, there is no public access to the rear yard. There are 15 feet of depth in front of the structure, but the referenced slope, steps and an existing sidewalk would eliminate the front yard from being considered as a parking area.

By reason of the aforementioned unique or exceptional condition of the property, will the strict application of the Zoning Regulations result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property?

Yes. If the applicant had to meet the parking requirement on the subject premises, is would result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property. The subject structure was built prior to the Zoning Act of May 12, 1958 and thus, cannot be expected to reasonably meet the strict application of the current Zoning Regulations. Further, the lack of public access to the rear of the building, and the difficulty of preparing the land to accommodate parking spaces, would be highly impractical.

Will the variance cause substantial detriment to the public good and if granted, will it impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map?

No. If the Board were to grant the requested variance, it will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

The Office of Planning believes that there are an adequate number of parking spaces on public streets, in the immediate vicinity of the church, to accommodate the parking needs of congregation members.

The area that the subject church is in can be characterized as a "warehouse district." There has been a church at the subject premises, coexisting with industrial businesses for over 20 years.

There is serious competition for parking spaces in the subject area, during normal business hours. Most of the businesses in the area of the church operate during normal business hours, generally between 6AM and 6PM weekdays. If the Glorious Church operated during the same hours as the other businesses, there

would be parking conflicts among residents, area employees and church members. However, the normal hours of operation for the church is typically between the hours of 8AM to 6PM on Sundays. Most other church activities take place after normal business hours.

In order to address the parking needs of its members, the Glorious Church has made arrangements with the owner of the parking lot, (adjacent to the west side of the church and the public school facility directly across the street) to allow church members to park on those lots. The Art and Drama Therapy Institute, Inc., provided the church a letter of consent for members of the congregation to park on the Institute's lot, next door to the church. Additionally, the D.C. Public School facility has given members permission to park on its parking lot, after normal business hours. The two referenced parking lots contain more than enough parking spaces to accommodate the church's parking needs.

It should be noted that many of the members of the Glorious Church live in the neighborhood and walk to the church.

2101.1 On and after May 12, 1958, all buildings or structures shall be provided with parking spaces as specified in the following table:

USE	Number of Parking Spaces Required
Church	**1 for each 10 seats of occupancy capacity in the main sanctuary: provided that where the seats are not fixed, each7 feet usable for seating or each 18 inch of bench, if benches are provided, shall be considered 1 seat.**

The Glorious Church has seating capacity for 70 persons in its main sanctuary. Accordance to the parking requirements referenced above, (1 for each 10 seats) the church is required to provide 7 parking spaces.

The topographical condition (steep grade and lack of public access to the rear of the property) eliminates both the front and rear yards of the church property from being considered as parking options. It is because of these two factors that the applicant is requesting relief from on-site parking requirements. It would appear that there are an adequate number of parking spaces on public space (during non-peak hours) to accommodate the church's parking needs. Additionally, the applicant has consent agreements with two different businesses on the block (one adjacent on the west and the other directly across the street), which allow church members to park on those parking lots during non-peak hours. The two parking lots contain approximately 30 parking spaces.

COMMUNITY COMMENTS

According to the applicant, the chairperson of ANC 5C has been provided a tour of the project site and supports the application. However, according to the ANC Chairperson, the notice from the zoning office arrived too late in May for the item to be placed on the May agenda. The project was presented to the full ANC on the 19th of June, with a quorum present. ANC 5C voted unanimously to support the variance request.

AGENCY COMMENTS

The District Department of Transportation, Office of Transportation Planning, had **no objections** to the application. Office of Transportation Planning cited the following:

1. There is no public access to the rear of the subject property, which eliminates the rear of the property as a parking area.
2. There are available public parking spaces, on the three hundred block of Randolph Street, N.E., after normal business hours, when the church has services.

OP SUMMARY RECOMMENDATIONS

The Office of Planning, after having reviewed the application submitted by The Glorious Church, (pursuant to 11 DCMR §3103.2) for a variance from section 2101.1 from the off-street parking requirements, in the C-M-2 zone, concludes that the applicant meets the applicable tests in the Zoning Regulations and that the relief can be granted without substantial detriment to the public good and without impairing the intent, purpose, and integrity of the zone plan.