GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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# Memorandum

**TO:** Board of Zoning Adjustments

**FROM:** Andrew Altman, Director
Office of Planning

**DATE:** July 13, 2001

**SUBJECT:** Waiver of Rules for Late Submittal of the Office of Planning Report on BZA #16727

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The attached report concerning BZA Application #16727 is being submitted less than 7 days prior to the Board of Zoning Adjustment consideration of the item scheduled for public hearing. The Office of Planning respectfully requests that the Board of Zoning Adjustment waive its rule and accept the report into the record.

Attachment

AA/mbr

BZA
Case No. 16727
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO.16727
EXHIBIT NO.25

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

# Memorandum

**TO:** Board of Zoning Adjustment

**FROM:** Andrew Altman, Director
Office of Planning

**DATE:** July 13, 2001

**SUBJECT:** BZA Application #16727 (United House of Prayer for All People)
626 S Street, N.W. (Square 442, Lots 864 and 865)

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## APPLICATION

The original application by the United House of Prayer for All People (Applicant) requested, pursuant to 11 DCMR 3103.2, variances from the provision of §330.5 to allow the demolition and replacement of an existing row dwelling with multiple apartments; §403 to increase the allowable lot occupancy; and §2101.1 to reduce the required number of parking spaces in the R-4 District. Subsequently, the applicant has revised its Site Plan and the variances for the increase in lot occupancy and the reduction in the required number of parking spaces are no longer necessary.

## SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the development of residential uses on the subject site and recommends that the requested variances be **APPROVED**. The proposed development is consistent with the aim of the providing a variety of housing types and unit sized to accommodate families of varying sizes and incomes.

## SITE AND AREA DESCRIPTION

The subject property, 626 S Street, N.W. (Square 442, Lots 864 and 865), is located in the Shaw neighborhood (Attachment 1) and is dominated by the Howard University and Hospital to the north of the site. The site encompasses an area of approximately 8,076 square feet and has a 15-foot public alley along its western boundary and a 20-foot alley to the south. The property has a vacant, 3-story row house with multiple apartments. The property is completely fenced and the southern portion, Lot 865, is being used for storage of construction equipment and as a construction office for development on an adjacent property also owned by the applicant.

The property is generally bounded by S Street to the north, 6th Street to the east, R Street/Rhode Island Avenue to the south, and 7th Street to the west. The area is developed with a variety of uses such apartment buildings, row houses, churches, and retail stores.

To the north and northeast along S Street uses include: the Shaw/Howard University Metro Station, a vacant, 2/3-story building which housed the former "Wonder Bread" bakery, 2 and 3-story row houses many of which have been converted to apartments, and the All Saints House of Prayer and the New Community churches. Directly to the west are a 2-story row house and the 3-story Madison Haven Apartment building at the intersection of S and 7th Streets. A portion of the first floor of this building that front on 7th Street houses the offices of the Howard University Center for Urban Progress and will shortly house the Howard University Welcome Center. Further south along 7th Street are a 2-story restaurant and music store, United House of Prayer for All People Church, some undeveloped lots, and the vacant building that formerly housed the Shaw Community Health Center. On the west side of 7th Street between R and S Streets, are a small 1-story grocery store and a 9-story apartment building. To the north of the intersection of 7th and S Streets, are the Metro Station and the vacant, 3-story building owned by the People's Involvement Corporation.

**PROPOSAL**

The applicant proposes to demolish the existing building and replace it with a 3-story row dwelling with multiple apartments (16 units), a central court, and 6 on-site parking spaces.

**ZONING REQUIREMENTS**

The subject site is in the R-4 District which allows row dwellings and flats by-right and permits the conversions of existing buildings to apartments on lots with a minimum lot area of 900 square feet. This zone allows a lot occupancy of up to 60% for row dwellings with multiple units, and requires 1 parking space per 4 dwelling units.

**ANALYSIS**

The United House of Prayer for All People is an established member of the Shaw community and has provided affordable housing for persons of varying incomes in this community and others. In the vicinity of the subject property, the applicant has built the Madison Haven Apartment at the intersection of 7th and S Streets and is currently in the process of erecting a 3-story, 8 unit apartment building with a community center adjacent to Madison Haven. The proposed development is a continuation of their work and it will return an underutilized lot to a functioning part of the community. The redevelopment of this lot will further the redevelopment of the area around the Metro Station.

Lot 864 of the subject site is currently developed with a 3-story row house with multiple apartments that have been vacant for a number of years. The building has 12 units of approximately 350 square feet each. The apartment building is very old and does not meet the current building code standards. Trying to renovate the building to make it habitable would still not meet the code and could be very costly. The remainder of the property, Lot 865, is vacant.

The application proposes to demolish the existing apartment building and replace it with a larger building. The proposed development will consist of a 15,705 square feet, 3-story, apartment building with 16 units and a central court area. In addition to the residential units on the first floor, there are one parking space and a storage area. Five additional parking spaces and an area to house dumpsters are on the southern portion of the property. The Zoning Regulations, §2102.2, require 1 parking space for each 4 dwelling units. Therefore, a total of 4 parking spaces are required. The requirements for development in the R-4 zone and that proposed are outlined below in Table 1.

**Table 1**

| Item | Existing | Required | Provided |
|---|---|---|---|
| **Lot Area** | 8,076 s.f. | | |
| **Lot Width** | 44.86 ft. in front<br>49.86 ft in back | 18 ft. | 44.86 ft. in front<br>49.86 ft in back |
| **Lot Occupancy (max. 60%)** | 1,600 sq. ft. or 20% | 60% or 4,845 s.f. max. | 60% or 4,8445 sq. ft. |
| **Open Court** | | 350 sq. ft. min. | 1,744 sq. ft. |
| **Rear yard** | 84 ft. | 20 ft. | 29 ft. |
| **Parking Spaces** | | 4 | 6 |

**Apartment Use**

Section 330.5 of the Zoning Regulations states:

> *The conversion of a building or other structure existing before May 13, 1958, to an apartment house as limited by §§350.4(c) and 410.3:*

The existing building was constructed prior to May 1958. Section 401.3 requires a minimum lot area of 1,800 square feet. The application meets this requirement as the subject property has a lot area of 8,076 square feet. Section 350.4(c) states:

> *Multiple dwellings subject to the requirements of §353 and 410 of this title; provided, that in an apartment house, accommodations may be provided only to residents who stay at this premises a minimum of one month;*

Sections 353 and 410 addresses new residential developments in the R-5-A District and exceptions to apartment houses in the R-5 District respectively. The application complies with the applicable requirement of both sections. Further, the proposal meets this requirement as the new building will be an apartment house that will house residents according to a set of specific criteria on of which will be that leases will be for periods greater than a month.

The application proposes to replace the existing building and reconstruct a row dwelling with multiple apartments in the R-4 District. The standard by which the BZA should approve a variance are set forth in Section 3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

**The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;**

The subject property is unique due to its long and narrow shape that is unlike any of the other lots, except for two, in this and surrounding squares. These other lots have a similar shape and are developed with apartments similar to those proposed for this site. The property has an exceptional condition in that it has a building that is old and does not presently meet the standards mandated in the building code.

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

The long, narrow shape of the property presents undue hardship on the applicant as it precludes the applicant from developing a building with a typical row house/flat configuration. The narrowness of the lot does not allow for a building with a single entrance and a double loaded passage. Further, the resultant apartments would be inadequate and not serve the needs of many potential residents. If the property were to be redeveloped with uses permitted under the existing regulations there would be fewer units and much larger units that may not be affordable to potential residents. Additionally, even with some renovations the existing building would remain sub-standard, as there is a lack of room for upgrading the heating/cooling system.

**The variance 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 proposal for replacing the old apartment building will not be detrimental to the public good, as it will contribute to the rejuvenation of the area around the Shaw/Howard University Metro Station. The design of the building has utilized the fact that the property abuts two alleys and most of the units will have light and air coming from two directions. In addition, the creation of an internal courtyard will provide some recreational space for the residents that may not have been possible under the existing regulations in such an urban area. The building will be red brick consistent with many of the other buildings in the community. The proposal is consistent with the goal of the Comprehensive Plan to encourage residential developments in order to increase the number of residents within the District. In particular, the apartments vary in size from 603 square feet to 920 square feet to encourage a mixture of family sizes and incomes. As demonstrated above, the new building will meet the requirements outlined in §335.0 and therefore will not impair the intent, purpose and integrity of the zone plan.

**Lot Occupancy**

The applicant has requested the variance form the lot occupancy requirements. In conversations with the Office of the Zoning Administrator, tit was conveyed to the Office of Planning that it is their interpretation that the proposal is for a row dwelling with multiple dwellings that the lot occupancy requirement is 60%. The proposed development has a lot occupancy of 60% and therefore a variance is not required.

**Parking**

Section 2101.1 requires 1 dwelling units per 4 units. The original proposal for 17 units requires 6 parking spaces. The applicant has since revised their proposal to reduce the number of units to 16 in order to accommodate the required number of parking spaces. With 16 units, 4 spaces are required and the applicant is providing 6 spaces. Therefore, a variance from the parking requirement is no longer necessary.

## COMMUNITY COMMENTS

The application was reviewed by ANC-2C on June 6, 2001 and recommended approval of the application and stating that if the applicant were to renovate the existing apartments they would be inferior to the new units proposed.

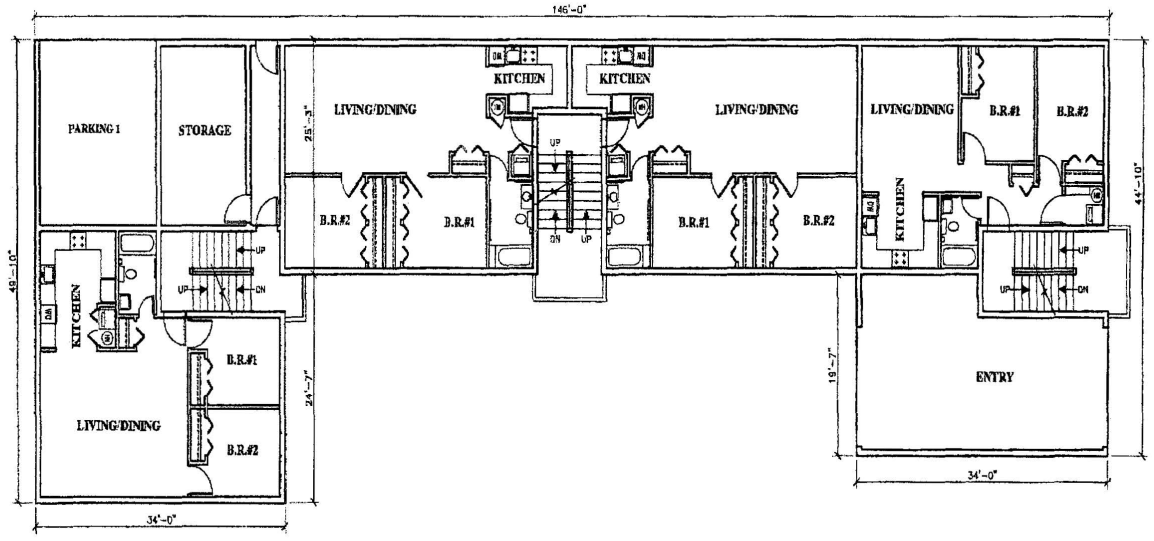
## SUMMARY AND RECOMMENDATION

The proposed variance to replace the existing building with a row dwelling having multiple apartments meets the provisions of Section 3103.2 of the Zoning Ordinance for granting variances. The proposed development to provide moderate and low-income residences will contribute to the rejuvenation of the Shaw/Howard University area. Approval of these residences will not cause any "substantial detriment to the public good" and "will not substantially impair the intent, purpose, and integrity" of the zone plan as embodied in the Zoning Regulations or Map", as they will fulfill the intent of increasing residential use. The Office of Planning therefore recommends that the Board of Zoning Adjustment **APPROVE** the variance requested.

Attachment

1. Site Location

AA/mbr

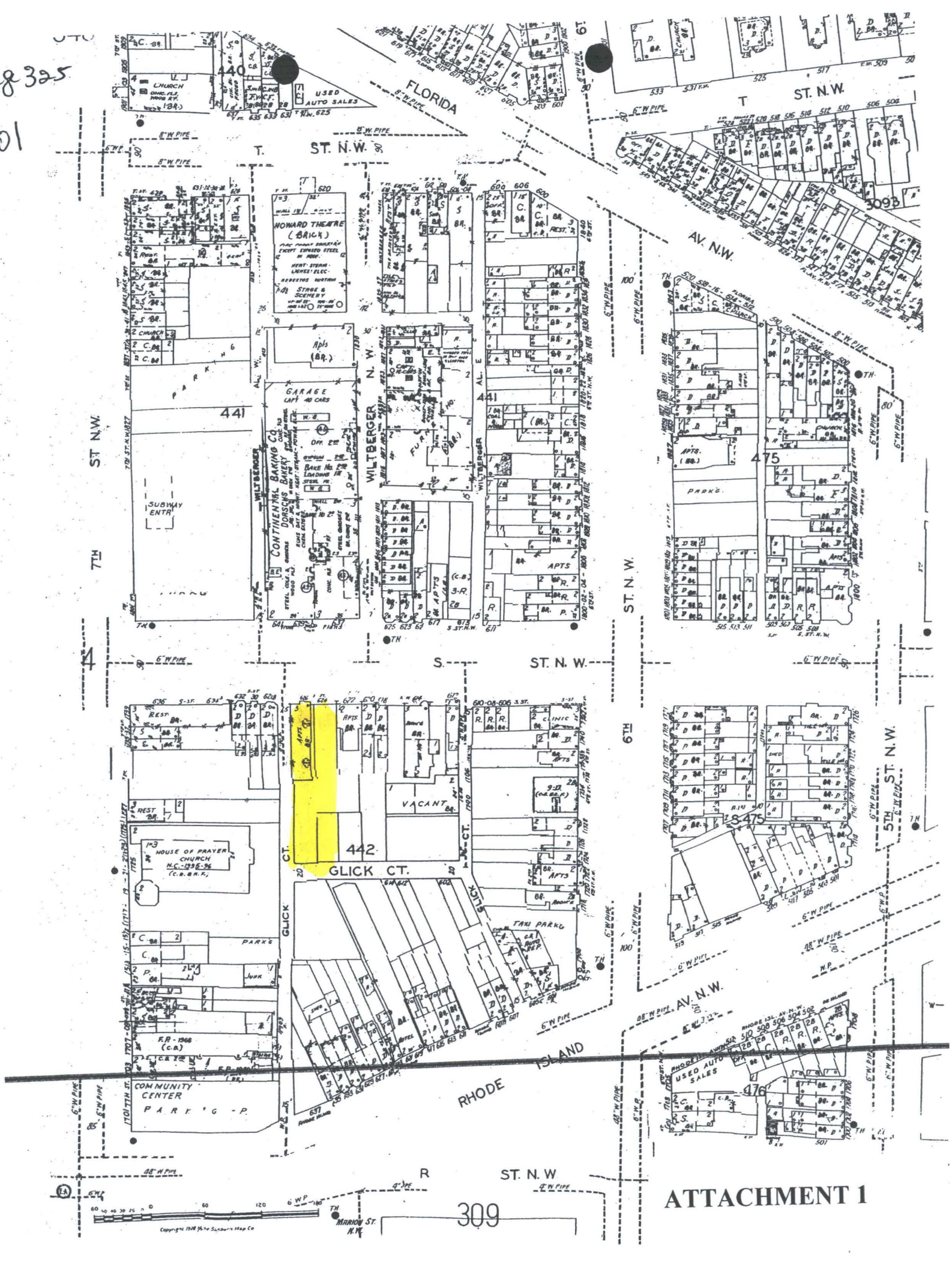


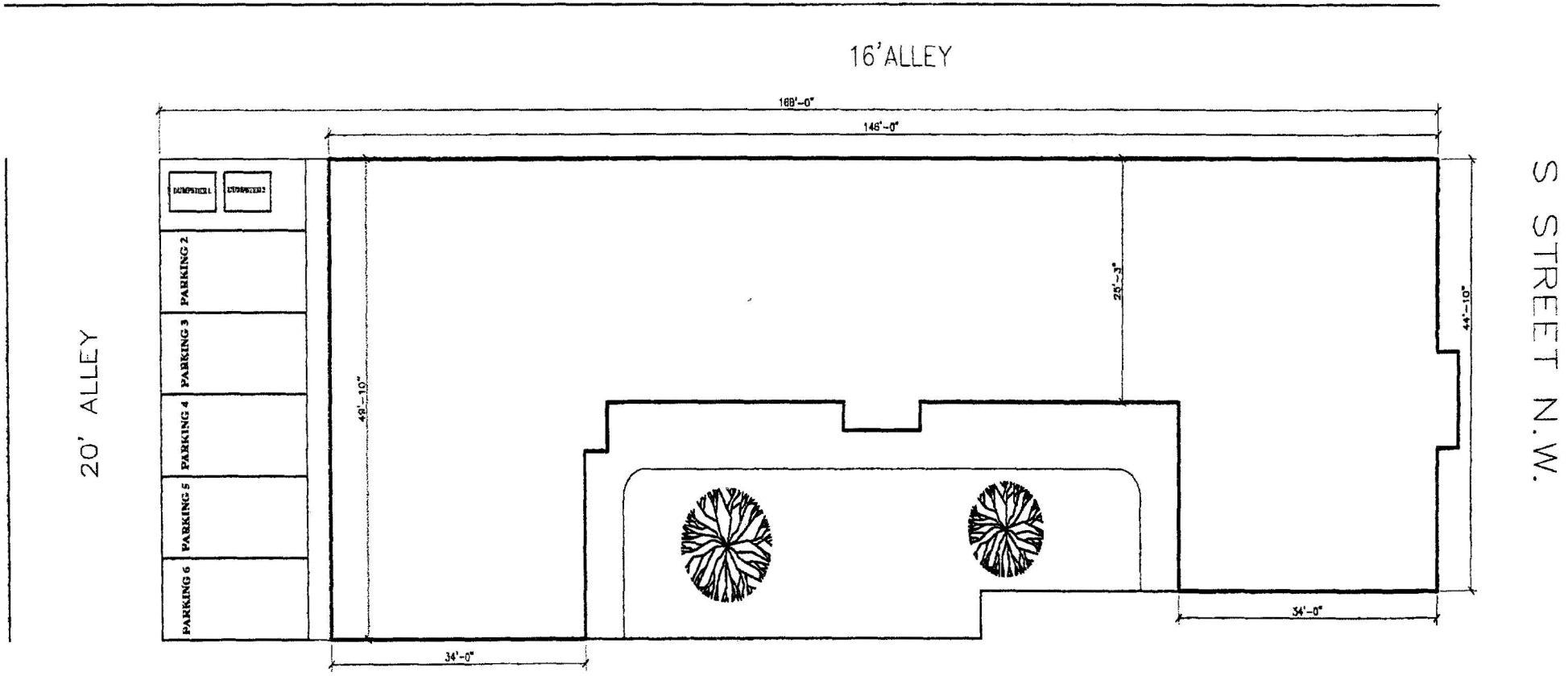

**FIRST FLOOR PLAN**

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

Pag 325

c01


FLORIDA
T. ST. N.W.
T ST. N.W.
AV. N.W.
HOWARD THEATRE (BRICK)
CONTINENTAL BAKING Co
DORSCHS BAKERY
WILTBERGER
ST N.W.
7TH
S. ST. N. W.
6TH
5TH ST. N.W.
441
442
475
476
GLICK CT.
VACANT
HOUSE OF PRAYER CHURCH
COMMUNITY CENTER
PARK'G - P
USED AUTO SALES
RHODE ISLAND AV. N.W.
R ST. N.W
MARION ST. N.W.
309
ATTACHMENT 1




**SITE PLAN**
SCALE: 1/16"=1'-0"