STATEMENT OF REASONS IN SUPPORT OF APPLICATION
FOR VARIANCES FROM THE LOT OCCUPANCY, PUBLIC SPACE,
RESIDENTIAL RECREATION SPACE AND LOADING REQUIREMENTS
OF THE ZONING REGULATIONS TO PERMIT THE CONSTRUCTION OF
A MIXED-USE RESIDENTIAL AND RETAIL PROJECT AT 2045 14th STREET, N.W.;
SQUARE 236, LOT 17 (FORMERLY LOTS 54, 61, 812 & PUBLIC ALLEY)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT
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This Statement of Reasons is submitted on behalf of the applicant, Metropolis Development Company LLC ("Metropolis"), the contract purchaser of the Property from Washington Metropolitan Area Transit Authority ("WMATA").

The Property. The subject property, 2045 14th Street, N.W., Square 236, Lot 17 (formerly Lots 54, 61, 812 and public alley)(the "Property"), is located at the southeast corner of 14th and V Streets, N.W. in the Greater U Street Historic District. A former public alley, running north to south, bifurcates the Property. The site contains 22,631.25 square feet. The western property line runs parallel with 14th Street; the northern property line is along V Street; the eastern property line is adjacent to federal parkland; and the southern property line is contiguous to a row of smaller scale commercial buildings. Directly to the west of the Property, across 14th Street is the large municipal Reeves Center. The Property is located directly above the Metrorail system.

Current Use. The Property is currently vacant and is used as a parking lot.

Proposed Use. The Property is presently owned by WMATA. Through an RFP process, Metropolis was selected to develop the Property. Metropolis, through this application, seeks to build a mixed-use apartment building on the Property named the Langston Hughes Condominiums. The proposed development consists of 7,711 square feet of retail space, 78 condominiums, and below-grade parking. The project will provide much needed housing for middle income families in the District.

By Order dated December 4, 2000, the Mayor's agent approved the project as compatible with the Greater U Street Historic District.[1] At the hearing before the Mayor's agent, the project received support of the affected Advisory Neighborhood Commission ("ANC"), as well as the Downtown Cluster of Congregations, the Development Corporation of Columbia Heights and neighborhood residents.

Zoning. The Property is zoned Arts/CR. The purpose of the CR (mixed use) zone districts is to encourage a diversity of compatible land uses by creating major new residential areas and environments conductive to a higher quality of life and environment for residents. 11

[1] Revisions to the building envelope of the project were considered and approved by the Historic Preservation Review Board on November 15, 2001.

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Board of Zoning Adjustment
District of Columbia
CASE NO.16832
EXHIBIT NO.9

DCMR §§ 600.1 & 600.3(a)&(f). Matter of right uses in a CR district include, *inter alia*, multiple dwelling and retail. 11 DCMR § 601.1

The Arts Overlay District is intended to encourage retail and residential uses and to expand the housing supply in the overlay district. 11 DCMR § 1900.2. Retail space must occupy no less than fifty percent (50%) of the ground level of a building which fronts 14th Street. 11 DCMR §1901.1.

Required Variances. To maximize the number of residential units, retail space and parking in the project, the following variances are required:

1. Lot Occupancy. A maximum lot occupancy of seventy-five percent (75%) is permitted for buildings devoted to residential use in the CR zone district. 11 DCMR § 634.1. Because residential use is provided at ground level, lot occupancy must be calculated at ground level. 11 DCMR § 634.2. The applicant is proposing eighty-seven percent (87%) lot occupancy.

2. Public Space. There is a ten percent (10%) public space requirement for new development in the CR zone district. 11 DCMR § 633.1. This area must be located adjacent to the main entrance of the building and is intended to serve as a transitional space between the pedestrian right-of-way and the building. 11 DCMR § 633.2. The required public space for the Property is 2,236 square feet. A complete variance from this requirement is necessary.

3. Residential Recreational Space. The CR zone district requires private recreation space for fifteen percent (15%) of the gross floor area devoted to residential purposes, of which seventy percent (70%) must be located outside of the building. 11 DCMR § 635.2&3. The required residential recreation space for the proposed project is 10,556 square feet. The project provides for 2,700 square feet of recreation space, all of which is located outdoors.

4. Loading Berths. Two loading berths are required for the proposed project: one at thirty feet (1@30') for the retail use and one at fifty-five feet (1@55') for the residential use. 11 DCMR § 2201.1. Additionally, a service/delivery area of twenty feet (20') is required for the residential use. *Id.* The project provides for two loading berths at thirty feet (30') and one service/delivery area at twenty feet (20'). Thus, a variance is needed to reduce the required residential fifty-five foot (55') loading berth to thirty feet (30').

As stated above, these variances are required so as to maximize the amount of retail and, more importantly, residential units provided on the site. The variances are necessitated in large part due to the location of Property over the Metrorail system. In addition to requiring the incorporation of the airshafts of the Metrorail system into the design of the proposed project, the density of the development must be dispersed over the site so as to avoid compromising the structural integrity of the Metrorail tunnels below the Property. Further limitation on the development potential of the Property is presented by the requirement that the portion of the public alley closed so as to allow construction of the project be kept open as an easement upon completion of construction.

The proposed design of the project is the product of extensive study of the Property and development requirements. The proposed project has been designed so as to respond to and

respect the surrounding historic district, the two- and three-story buildings located to the south and along the north side of V Street, and the 100 foot high Reeves Center across 14th Street, N.W. The proposed project resolves the inherent conflicts, challenges and opportunities associated with the Property without substantially impairing the intent, purpose and integrity of the zone plan, as embodied in the Zoning Regulations and Map.

For the foregoing reasons, it is respectfully submitted that, upon receipt of all of the applicant's proof and all other support of record for the variances requested, such relief be granted.

Respectfully submitted,
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