STATEMENT OF EXPLANATIONS AND REASONS

SUPPORTING AN APPLICATION

TO THE BOARD OF ZONING ADJUSTMENT

OF THE DISTRICT OF COLUMBIA

FOR A VARIANCE PURSUANT TO §§773 and 3103, and FOR A SPECIAL EXCEPTION PURSUANT TO §§411.11 and 3104

OF THE DISTRICT OF COLUMBIA ZONING REGULATIONS

306 Carroll Street, N.W.

(SQUARE 3354, LOT 26)

BZA
Case No. 16833
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO.16833
EXHIBIT NO.4

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INTRODUCTION

This is a Statement of Explanation and Reasons supporting the application of TP2, LLC for a variance and special exception to permit construction of a mixed use commercial project at 306 Carroll Street, N.W. (Square 3354, Lot 26) pursuant to Sections 223, 411.11, 3103, and 3104 of the Regulations of the Zoning Commission, (11 DCMR §§223 and 3103) (hereinafter, "Regulations").

DESCRIPTION OF THE APPLICANT

The applicant/owner of the property in Takoma Park is TP2, LLC, whose offices are located at 1911 Tech Road, Silver Spring, MD 20904-1961. Mr. Russell Katz, is President of TP2, LLC.

DESCRIPTION OF THE PROJECT

The Project will be a 58-unit apartment building, accessed from Vine Street, with 4,500 square feet of retail on the street level of Carroll Street. The apartments will be built around an open courtyard.

THE SUBJECT PROPERTY

A. Location and Description of the Property

The property which is the subject of this Application is at 306 Carroll Street, N.W., Square 3354, Lot 26. It is cleared land in a C-2-A Zone District, which permits medium density community business center and general residence. The property has been vacant for many years since no one could devise an appropriate development strategy given the steep slope of the lot, the proximity to the railroad tracks and the Historic District constraints. The property slopes from the railroad bridge up Carroll Street and also slopes sharply from Carroll Street up to Vine Street.

B. Area Surrounding the Property

Surrounding the property are primarily commercial and public facility uses as follows: West of and bordering the site are Amtrak/CSX and Metro train tracks. East of the site are business and commercial uses. North of the site, directly across the street, is the Metro Station and parking lot. Residential and mixed use buildings have been planned for the area of and surrounding the Metro site. Vine Street borders the site on the South side. It is a dead-end street where several industrial, commercial, and warehouse facilities are located.

C. Zoning History and Use History

The area is zoned C-2-A. The site was cleared over 18 years ago. In the nineteen fifties there had been retail shops and a gas station on Carroll Street with a woodworking shop and warehouses on Vine Street. In the nineteen twenties there had been retail shops on Carroll and a woodworking shop and an ice company on Vine Street.

REASONS IN SUPPORT OF THE APPLICATION FOR VARIANCE

A. Compliance with D.C. Zoning Regulations

The project needs a variance to reduce the requirement for 20 per cent recreation space to 15 per cent. In addition a special exception is needed to permit three roof structures rather than one and a setback of 5'2" rather than the 7' or 18'6" permitted as of right.

Uniqueness of the property

This vacant property has sat undeveloped for over 18 years. Its odd pie-shape, extreme level change, and proximity to the railroad create special construction and use difficulties not found anywhere else in the area.

Extraordinary or exceptional practical difficulties

In order to justify the additional construction expense of constructing on a difficult terrain and buffering the sounds of train traffic on the adjacent train tracks, it is necessary to maximize the numbers of residential units on the site. However, the square footage of the 58 units would require more recreation space than can be accommodated.

B. No Adverse Affects

The neighbors, ANC and citizens of Takoma Park have all praised the project. While the project requires a change from 20 per cent to 15 per cent in the recreational space, it should be noted that if this property were in the C-2-B Zone District rather than C-2-A, only 15 per cent would be required.

REASONS IN SUPPORT OF THE APPLICATION FOR SPECIAL EXCEPTION

A. Compliance with D.C. Zoning Regulations

The project needs a special exception to permit three roof structures rather than one. Moreover, roof structures are required to be set back from the exterior walls a distance equal to their height, up to 18'6". We propose one roof structure at 18'6" and two at 7', all to be set back 5'2" from the exterior wall.

B. No Adverse Affects

Setting the roof structures closer to the exterior wall will not have an appreciable effect on the appearance of the property because they will be incorporated into the form of the building. Moreover, where they extend above the existing roof plane they will be visible only from Vine Street. The neighbors, ANC and citizens of Takoma Park have all praised the project. They have been pleased that the developer consulted them early in the process and made many significant changes to accommodate neighborhood and community concerns.

TRAFFIC AND PARKING

The building will be on a main thoroughfare which accommodates a great deal of traffic and this project is not likely to add appreciably to the traffic in the area. Moreover, the

site is adjacent to a Metro Station. It is anticipated that many of the residents and more of the retail customers will use Metro to access the building. There will be adequate parking on site with 14 spaces on Carroll Street, 5-6 of which will be dedicated to the retail uses. An additional 26 spaces, loading and service spaces will be accessible from Vine Street. In addition, there is public parking across the street at the Metro Station. We are confident that neither the retail nor residential uses should create a parking problem for the community.

BENEFITS OF PROPOSED USE

Construction will eliminate an unusable eyesore that has existed for over 18 years. The design of the apartment/retail complex is in keeping with the historical character of the neighborhood and maintains a human scale. Moreover, it is one of the first significant projects in the vicinity of the Takoma Park Metro Station and its completion will be a beacon of encouragement to other developers who might be looking to develop in the area. Finally, the project will provide much needed retail facilities in this urban setting.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

A. Appropriate Residential and Retail Use

This proposal is in keeping with the Comprehensive Plan's designation of the site for low density residential and low density shopping.

B. Historic Preservation

The subject property is in the Takoma Park Historic District. The plans for this project have received conceptual approval by the Historic Preservation Review Board.

CONCLUSION

The Applicant should be granted a variance and special exception to allow a 15 per cent residential recreation space and to alter the number and position of roof structures. Permitting the variance will have no adverse effect and will be in harmony with the purpose of the Zoning Regulations.

Respectfully submitted,

Stephen N. Gell, Esq.