GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: October 22, 2002

SUBJECT: BZA Application #16931 (2327 Champlain Street, LLC
2327 Champlain Street, N.W. (Square 2563, Lots 101, 833, 879)

APPLICATION

The application by 2327 Champlain Street LLC (Applicant) requests, pursuant to 11 DCMR 3103.2, variances from the following sections of the Zoning Regulations:

1. Section 771, FAR Requirements;
2. Section 772.1, Lot occupancy; and

Special Exceptions to allow the following:

1. Section 411.5, Roof structure enclosure;
2. Section 1403, Height in the Reed Cooke Overlay District.

SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the development of residential uses on the subject site and recommends that the requested variances and special exceptions be **APPROVED**. The granting of these variances and special exceptions will not be detrimental to the health and welfare of the residents of the area.

SITE AND AREA DESCRIPTION

The subject property, 2327 Champlain Street, N.W. (Square 2563, Lots 101, 833, 879), is located at the intersection of Kalorama Road and Champlain Street. The 22,602 square feet lot currently has an abandoned auto repair shop, surface parking, and a liquor store with upper floor residential use.

BZA
Case No. 16931
Exhibit No. 37

Board of Zoning Adjustment
District of Columbia
CASE NO.16931
EXHIBIT NO.37

The site is long in a north-south direction along Champlain Street and is surrounded by predominantly residential use. To the west, across Champlain Street, are the Adams Morgan Lofts with a residential, parking, and commercial uses. To the north is the Brass Knob, a retail store, which is to be developed with residential use above the existing store. To the east, across the alley, are a variety of residential and office uses in addition to an auto repair shop and a church. To the south, is a mixture of residential apartments, townhouses, and offices.

PROPOSAL

The applicant proposes to demolish the existing uses and redevelop the site with a wholly residential use. The 4-story building with basement will house 68 apartments and 54 parking spaces.

ZONING REQUIREMENTS

The subject site has a base zoning of R-5-B and is within the Reed-Cooke Overlay District (RC). The R-5 Districts are designed to permit flexibility for all types of urban residential developments along with those institutional and semi-public buildings that are compatible with adjoining residential uses. The R-5-B District permits developments of a moderate height and density. Generally, the purpose of the RC District is designed to protect existing housing, provide for new development, and encourage small-scale business development that does not affect the residential uses. This districts limits the heights of buildings in the R-5-B District to 40 feet. The R-5-B requirements and how the proposal meets them are outlined below in Table 1.

Table 1

Item	Required/Allowed	Provided	Variance/SE
Lot Area	N/A	22,602 so.	N/A
Lot Width	N/A	83.2 ft.	
Lot Occupancy	60%	66%	-6%
FAR	1.8	2.75	-0.95 FAR
Parking Spaces	34	52	N/A
Height	40 ft. max in the RC District	50 ft.	10 ft. or 25% (SE)
Roof Structure	Enclosing wall should be of equal height and have a 1:1 setback	2 enclosures of unequal heights and no setback on one side	2 enclosures of unequal heights with no setback on one side (SE)

The Reed Cook Overlay District, adopted May 29, 1987 and amended April 26, 1991 (Zoning Commission Orders 523 and 523A), was to implement the objectives of the Reed-Cook Special Treatment Area of the Comprehensive Plan. At that time, the area was predominantly zoned R-5-B and C-M-2. There were many residential properties that were in the C-M-2 zones and many residences were being converted to commercial uses. Residents of the area felt threatened and feared that they were losing their community. The overlay was adopted to protect these residences and introduce additional residences with community serving retail uses.

ANALYSIS

GENERAL INFORMATION

The Reed-Cooke/Adams Morgan neighborhood is undergoing revitalization and renovation. Many residential developments, as envisioned by the Reed-Cooke Overlay are coming to fruition. With the many redevelopments and renovations, the community is very concerned about the shortage of on-street parking especially in the evenings which is mainly a result of persons patronizing businesses on 18th Street and Columbia Road and parking on neighborhood streets. As a result, the residents have expressed through the Reed-Cook Neighborhood Association that new developments provide adequate on-site parking to serve the new residents or provide incentives to residents to rely less on automobile ownership by providing some sort of car sharing system such as "Zip Cars". Secondly, the neighborhood is concerned that many of the new units will not be affordable to the existing residents who would like to remain in the neighborhood; therefore they have requested that new developments provide some moderately priced units.

The applicant has been responsive to some of these and other concerns expressed by the Reed-Cooke Neighborhood Association and other residents. Of particular concerns are the issues of parking on neighborhood streets, open space and "green areas" along Champlain Street, light and air into the buildings and streets, and the inclusion of units for low to moderate income residents. To address the issue of parking the applicant has provided 56 parking spaces, which totals 22 spaces above the 34 required or 0.88 spaces per unit. The provision of on-site parking will help to minimize the pressure to park on the narrow neighborhood streets, a feat that is nearly impossible today.

The applicant has designed the building such that the front façade is setback from the Champlain Street property line for a distance ranging from 3 to 16 feet for a total of 1,023 square feet. The areas of setback will be landscaped and will provide some open green space along Champlain Street unlike many of the new developments that are built directly on the property line. In addition, this open space will provide a transition to the lower density residential area to the south of the site that has setbacks from the property line. The setback will help to provide light and air along Champlain Street. With the construction of the Adams Morgan Lofts at a height of approximately 65-feet and the 50-foot height of the proposed building, it is likely that a "tunnel effect" would result along this portion of Champlain Street, a narrow street with a right-of-way of 50-feet. The proposed setback could help alleviate such an effect.

The applicant has responded to the community's desire to have moderately priced units and the applicant is proposing to have 3 such units in the building.

The applicant indicates that there are two obstacles to construction on the site. Lot 876 of the subject property was formerly a gas station and was contaminated and now has to be cleaned before any development of the site can be done. A Phase I environmental soil study commissioned by the applicant shows that due to underground gasoline storage both on the site and on properties to the north, the soil is contaminated. Secondly, the development of the site is affected by the presence of highly plastic silts that affect the depth of the foundation of the building. The geotechnical study states that, due to groundwater levels, dewatering of the site will be required on a permanent basis in addition to the fact that adjacent street and buildings will require foundation underpins. Development of the site with these physical conditions of the site will introduce cost not frequently associated with normal residential construction.

VARIANCES

Lot Occupancy

Section 403.2 of the Zoning Regulations allows a maximum lot occupancy of 60% for developments in the R-5-B District. The lot occupancy proposed for the building is 66% (revised from 67.3% in the original application. The standard by which the BZA should approve a variance is 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 because of its shape and the exceptional situation caused by the contamination of the site and the required cleanup and the high watertable on the site that limits the depth of excavation. Additionally, the request of the community to setback the building creates an exceptional situation.

> **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 proposed development is unable to meet the maximum lot occupancy required. A large portion, 3.4%, of the excess is due to the square footage dedicated to balconies and bay projections that would have been permitted to project into the public space along Champlain Street and Kalorama Road, had the building not been setback to accommodate the community. The setback, along with the narrowing of the southern portion of the site creates a practical difficulty to build within the permitted maximum lot occupancy.

> **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.**

Granting the variance will not be detrimental to the public good as the setback of the building was a request from the community. The applicant could have pulled the building to the property line and nearly met the lot occupancy requirements. The setback helps to provide green space that is lacking along Champlain Street and helps minimize the blockage of light and air along this street. The lot occupancy requirement in the Zoning Regulations is to provide light and air between buildings and the setback of the building as proposed will enhance this requirement.

FAR

The applicant proposes a building with an FAR of 2.75. The maximum allowable FAR in the R-5-B District is 1.8, a 0.95 difference. The increase in FAR is a result of a number of factors; the FAR dedicated to bay windows which would not be included in the FAR if the building were not setback, the

provision of moderate income units, and the additional parking provided in the cellar area that is included in the overall FAR. The additional FAR is necessary due to high groundwater level that limits deep excavation which would otherwise accommodate additional parking on the site. Since it would then be completely underground and would not be calculated as part of the FAR. Further, vehicular entrance into the building is provided off Kalorama Road and the alley. Because of the long shape of the property a long driveway has to be provided. Instead of providing direct access from the alley into the parking the applicant has provided a long ramp on the property. This ramp and the narrowing of the property allows for a setback along the rear property line.

The proposal meets the requirements for a variance as follows:

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

As prior established, the property is unique due to shape. Additionally, the presence of a high watertable and contaminated soil the applicant is faced with additional costs that are not normally associated with many of the developments in the area.

> **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 high water table on the property is an exceptional condition and in effect has resulted in the increase in the FAR from space dedicated to parking. This space is usually not included in the FAR of a building and is a practical difficulty in trying to build a viable building and provide adequate parking on site to help alleviate the lack of readily available on-street parking situation in the Reed-Cooke area. The applicant is also faced with trying to satisfy the request of the community by providing setbacks along the street frontage and therefore the bay projections which would not be calculated in the overall FAR is now included. Finally, the applicant is providing some moderately priced units whish is not required in the R-5-B District. All these factors combined with the additional cost associated with the physical limitations on the site make it difficult for the applicant to construct a building within the confines of the permitted FAR.

> **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 request to increase the FAR of the building will not be a detriment to the public good as the additional will FAR allow for adequate on-site parking, the provision of some affordable units, and the building setbacks along the front and rear of the property. The granting of this variance will not impair the intent of the Zoning Regulations but will in fact further the aim of providing light and air and preserving the aim of the Reed-Cooke overlay.

Special Exception

Roof Top Structure

The applicant has requested two deviations from two provisions relation to roof structures. The Zoning Regulations provides for special exception relief from Sections 441 and 400.7(b). Under Section 411.11 of the Regulations, the Board may grant a special exception relief for the requirements for a roof structure where full compliance is "impracticable because of operating difficulties, size of building lot, or other conditions relation to building or surrounding area" and would be "unduly restrictive, prohibitively costly, or unreasonable".

Section 411.11 of the Zoning Regulations allows for deviations from the requirements of Section 411.5 that requires that walls of the roof structure be of equal height. The applicant has requested a deviation from this requirement for the penthouse enclosures. The applicant proposes that portion of the enclosure that fronts on Champlain Street will have an initial height of 7-feet after which it will slope away from Champlain Street up to a height of 12-feet. The enclosure will then step down to 7-feet 5-inches on the eastern side of the property. The sloping roof with a step-down in height will be more pleasing that a "box" enclosure when view from other nearby buildings. Additionally, the steps in height will limit the visibility of the entire structure from Champlain Street or the ground of adjacent properties. Although the requirements could be met, the alternative proposed is more aesthetically pleasing. Granting the special exception to an enclosure of unequal height will not impair the intent of the roof structure requirements and will not block the light and air to adjacent properties.

Secondly, Section 400.7(b) requires that roof structures be setback at least 1:1. This requirement can also be met by comply with this 12-foot setback requirement. The proposal meets this requirement on all sides except the northern side. Because of the long narrow shape of the property, the roof structure is located down the middle of the roof. If the structure is setback 12-feet from the property line that is shared with the Brass Knob a gap or dead space on the roof will be created. The applicant therefore proposes to place the roof structure on or close to the shared property line. This deviation will not affect the light and air to adjacent properties and will be more aesthetically and architecturally pleasing and therefore meet the intent of the Zoning Regulations and the test for a special exception.

Exception to the Height Requirement in the Reed-Cooke Overlay District

The underlying R-5-B District allows a height of 50-feet but the Overlay limits buildings in this District to 40-feet. The applicant is proposing a development with a height of 50-feet. Section 1403 of the Zoning Regulations requires that any exceptions to the requirements of the Reed-Cooke Overlay District meet the following conditions:

1403.1 (a) The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the RC Overlay District;

The proposed residential development supports the purposes of the RC Overlay as it is bringing residential use to the area and replacing the undesirable uses that are currently on the site. The intensity of the proposed building is above that recommended by the Overlay but that is necessary due to the provision of some amenities that will directly benefit the community in addition to the cost associated

with constraints due to the physical characteristics of the site. However, the increase in intensity will not detrimental to the intent of the Overlay and is compatible to surrounding uses.

(b) Vehicular access and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition;

The main vehicular access into the building will be off Kalorama Road and the alley on the east side of the building, while pedestrian access is from Champlain Street. This will eliminate conflicts with the vehicular access on the Adams Morgan Lofts that is located near the southern portion of the site along Champlain Street. The location of the loading dock along the alley will also minimize dangerous conflicts with pedestrians and other vehicular traffic.

(c) Adequate off-street parking shall be provided for employees and for trucks and other service vehicles;

The proposal is for residential use and therefore no employee parking is required. The loading dock is to the rear of the property and therefore trucks and other service vehicles should not be in conflict with pedestrian movements.

(d) If located within a C-2-B District, the use shall not be within twenty- five feet (25ft.) of a Residence District, unless separated there from by a street or alley;

N/A

(e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;

The proposed residential use will not introduce any excessive noise into the area.

(f) No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted; and

The proposed residential use will not allow any outdoor storage, processing, repairs and fabrication on the site.

(g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.

The proposed variances and special exceptions will allow for a new residential development that will provide direct amenities to the community and will be architecturally and aesthetically compatible to existing and proposed developments. The development of this site will allow for the cleanup of a contaminated site and will not be detrimental to the neighborhood. In fact, the development will meet and further the goals of the Reed-Cooke Overlay.

PARKING

A Traffic Study was submitted by the applicant to DDOT; however, to date DDOT has not submitted any comments to OP. A response to the Traffic Study should be submitted to the Board under separate cover.

COMMUNITY COMMENTS

The Reed-Cooke Neighborhood Association voted on October 8, 2002 to support the applications. ANC-1C at it October 21, 2002 meeting recommended approval of the application.

SUMMARY AND RECOMMENDATION

The requested variances and special exceptions will allow a residential development that is compatible with exiting uses, will bring new residences to the area and will meet the intent of the Zoning Regulations. The Office of Planning therefore recommends that the Board of Zoning Adjustment **APPROVE** the variances and special exceptions requested with the following condition:

1. The applicant will provide 3 moderately priced units and will have a system to ensure that these units will remain moderately prices in perpetuity.

Attachment

1. Aerial of Site and Surrounding Area

AA/mbr



Feature Key

- Zoning Boundaries
- Square Index

Board of Zoning Adjustment
Application No. # 16931

DC Office of Planning
October 21, 2002

Scale 1:1805

25 0 25 50 75 100 Feet

Attachment 1