GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman
Director

DATE March 31, 2003

SUBJECT: BZA Application **17008**
901 Ingraham Street, N.W. – **Gideon Baptist Church**

APPLICATION

Relief Sought: Pursuant to 11 DCMR 3103.2, the applicant requested variance relief from the following:

- §403.2 - The maximum allowed lot occupancy requirement for a church in the R-3 zone District.
- §404.1 – The minimum rear yard setback requirement for a structure in the R-3 zone District.
- §406.1 – The minimum width of an open court requirement for a church in the R-3 zone District.
- §2101.1 – The number of parking spaces for a church in the R-3 zone District.

The Office of Planning met with the applicant and discussed their proposal as presented. OP recommended that the applicant re-examine the church's design as it related to the percentage of lot occupancy requested, the lack of parking spaces on site, the lack of a sufficient setback between the proposed building and the abutting property and the projected number of members the church could reasonably accommodate given the area of the site. OP informed the applicant that as proposed, the structure would exceed the site's capacity. It was recommended that the design include the rear yard setback and some of the required number of on-site parking spaces.

The applicant subsequently submitted a redesign that incorporated the following:

- 20 feet rear yard setback (§199: definition of the depth of rear yard).
- Provision of 2 parking spaces on-site, including one handicapped space.
- A reduced seating capacity for 170 persons instead of the original 216 which resulted in a reduction in the number of required parking spaces.

Therefore, the applicant's request has been modified to include variance relief from §403.2, §406.1, and §2101.1. OP has also determined that special exception relief from

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the parking requirements would also be necessary since the required parking for the site is proposed off-site at Truesdell Elementary School.

SUMMARY RECOMMENDATION

The Office of Planning **recommends approval** of the request to allow the construction of the church at 901 Ingraham Street Street, N.W. based on the applicant's redesign of the site, including the required rear yard setback from the abutting property at 5307 Illinois Avenue, N.W. OP's **recommendation of approval includes variance relief** from the required:

- Lot Occupancy (§403.2),
- Open Court Width (§406.1),
- Parking requirement allowing 2 on-site spaces instead of 3 (§2116.3).

OP also recommends approval of a **special exception** request to allow more than 50% of the church's parking spaces to be located at Truesdell Elementary School.

SITE AND AREA DESCRIPTION

The subject property is located between Illinois Avenue and 9th Street, N.W. at 901 Ingraham Street in Square 2998 in the Brightwood Park neighborhood. The lot is approximately 4,230.5 square feet, has an oblong configuration and is developed with a two-story structure currently occupied by the Gideon Baptist Church. The property fronts Ingraham Street, N.W. and extends east to 9th Street and west to Illinois Avenue and is located in the R-3 zone District where the predominant uses are row houses, garden apartments and semidetached homes. The church has been in operation at this site since 1974.



PROJECT DESCRIPTION

The applicants proposes to demolish a converted residential structure currently used as its church and construct a new church building on the 4,230.5 square feet lot, with a seating capacity for 170 persons. The church operation has grown in membership and the applicant wishes to continue its services on this site in a new church building designed to accommodate its growth. The structure was redesigned to accommodate two parking spaces on site and other parking will be accommodated by available on-street parking spaces and leased spaces at Truesdell Elementary School, which is located on the southeast corner of 9th and Ingraham Street N.W. The applicant has provided OP with a signed lease agreement with the school for 22 spaces at the rear of the school.

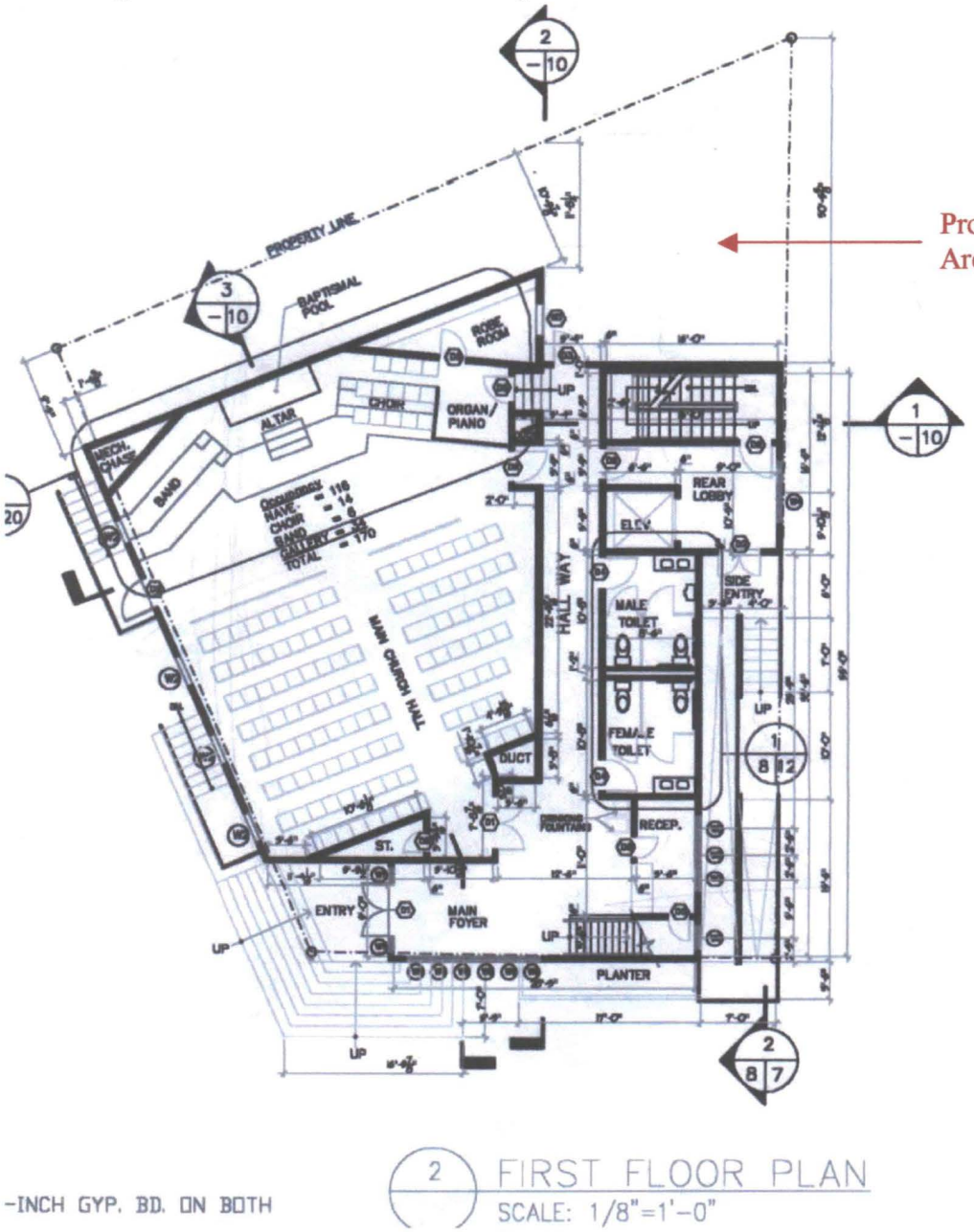


Figure 1 - Proposed Site Design

ZONING REQUIREMENTS and ANALYSIS

R-3 Zone District
The R-3 District is designed essentially for row dwellings mingled with one-family detached dwellings, semi-detached dwellings and groups of three or more row dwellings. Churches are also permitted by-right in this zone subject to the bulk requirements of the zone District. The applicant has requested variance relief from §403(Lot Occupancy), §404 (Rear Yard) and §406.1(Courts), as outlined in Table 1.

Table 1

Section	Item	Required	Provided	Deviation
403.1	Lot Occupancy	60%	69.1%	+9.1%
404	Rear Yard	20'	20'	0
406.1	Court Width	4" per foot of height, not less than 10'	7.5'	-2.5'

Parking Requirement

According to §2116.3, for a church, up top 50% of the number of spaces may be located elsewhere. The spaces shall be located within four hundred (400) feet of the church in a public or private parking lot or garage where the…spaces are made available…through a binding agreement with the owners of the parking facility. However, at least three (3) spaces shall be provided on the lot where the church is located.

The number of parking spaces required is dependant on the number of seats provided by the church, according to the schedule of requirements for parking spaces outlined in §2101:

> Churches - All other Districts - 1 for each 10 seats of occupancy capacity in the main sanctuary; provided, that where the seats are not fixed, each 7ft^2 usable for seating or each 18" of bench, if benches are provided shall be considered 1 seat.

In their revised submission, the applicant has provided 2 spaces on the lot. OP has determined that a special exception from the parking requirement on the subject lot is necessary, since the other spaces are proposed at another location (§§2116.5, 2116.6)

Analysis

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

The applicant requires a variance from the lot occupancy, open court width on the eastern portion of the lot, as well as relief from the minimum parking requirement of 3 on-site spaces. The lot is wider at the rear (75.09 feet) than the front (43.59 feet), which faces

Ingraham Street. This creates an exceptional condition with respect to the design of any structure, which may attempt to maximize the use of the lot.

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?

Due to the varying width of the lot, a strict application of the regulation will create a practical difficulty for the owner. With respect to the lot occupancy, the applicant is attempting to maximize the space to accommodate the growth in attendance and services the church intends to provide to patrons and the immediate neighborhood. In addition, the new structure proposes improved handicapped access per ADA requirements, which typically represents an increase in sizes of hallways and other on-site facilities to allow for maneuverability.

The open court area provides a ramp for handicap access and the applicant contends that the loss of two and a half feet on the exterior is necessary to maintain the proposed location of the elevator, as well as to provide the required hallway width to accommodate ADA and other building code requirements. OP believes that the resulting court width is an unintended consequence of the interior requirements of the structure and strict application of the regulations in this instance would create a practical difficulty in satisfying the requirements.

Finally, the applicant has attempted to include two of the three on-site spaces required per §2116.3 and variance relief for one space will be required. The spaces will be located in an irregularly shaped area at the rear of the property. The measurement includes distances 20' 6" and 30 feet from the property line to a portion of the rear wall, 16 feet along the rear wall and approximately 17 feet along the property line. Based on the size, the applicant can legally provide only one van space (13'x19') and a standard 9x19 space on site. There is a practical difficulty in providing three spaces, due to the configuration of the lot and the resulting parking area. In the alternative, OP believes that the applicant should try to accommodate 2 van spaces on site and locate the standard spaces at the off-site parking lot at Truesdell Elementary.

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?

OP believes that relief can be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the Zone Plan. OP was concerned that the original submission lacked any setback from the abutting property to the rear. OP is satisfied that the applicant has addressed this requirement and the resulting plan shows minimal increase in the lot occupancy (+9%) and decrease (-2.5 feet) in the court width. The requirement of the minimum 10 feet open court width considers the light and air availability to abutting properties. In this instance, the court

faces a street and has no effect on any adjacent property. The project conforms in all other aspects including the height requirements of the R-3 zone District.

OP has no objection to the location of the off-site parking facility, since it reduces the impact on the residential neighborhood, particularly on Sundays when the majority of residents are most likely to be at home. No detriment to any other neighboring property is anticipated, since the applicant has obtained signed neighborhood agreements in support of the new facility.

Special Exception

OP has determined that a special exception will be required since the applicant is not providing all the required spaces on the lot and has proposed off-site parking at a nearby lot. The improved design requires 17 spaces based on the occupancy of 170 persons in the main church hall. The applicant has provided OP with a copy of a signed lease agreement for 22 spaces at Truesdell Elementary. Up to 50% of the required number (9) may be located elsewhere and at least three must be provided on the church's lot (§2116.3). However, §2116.5 provides that open parking spaces may be provided elsewhere in accordance with §2116.6 through §2116.9 as follows:

2116.6 *The Board shall determine that it is not practical to locate the spaces in accordance with § 2116.2 for the following reasons:*
(a) Unusual topography, grades, shape, size, or dimensions of the lot;
OP believes that the size and dimensions of the lot make it impractical to locate 17 spaces on the lot. This would require at least 2,907 square feet of the 4, 230 square feet property or 69% of the site. This is an improbable situation since the applicant is not able to acquire any available adjacent land to accommodate on-site parking.

(b) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets;
There is no alley located at the rear of the property or otherwise. The lot abuts a residence to the rear and has three street frontages.

(c) *Traffic hazards caused by unusual street grades*; or
This condition is not applicable in this instance.

(d) *The location of required parking spaces elsewhere on the same lot or on another lot would result in more efficient use of land, better design or landscaping, safer ingress or egress, and less adverse impact on neighboring properties.*
OP believes that the location of parking at an available off-site parking lot is a more efficient use of land, since it allows the applicant an improved facility, which may provide better service to patrons and the immediate community. The location of the parking spaces at the rear of the school

provides safer ingress and egress patterns along 9th Street and reduces the impact of on-street parking in the residential neighborhood.

2116.7 *When the accessory parking spaces are to be located elsewhere than on the lot upon which the building or structure they are intended to serve is located, the parking on adjacent lots or lots separated only by an alley from the lot upon which the building or structure is located, shall be preferred.*

The neighborhood is residential in character with no readily available commercial parking facilities either adjacent to the lot or separated from the lot by an alley, since there are no alleys located around the lot.

2116.8 *The accessory parking spaces shall be located so as to furnish reasonable and convenient parking facilities for the occupants or guests of the building or structures that they are designed to serve.*

The parking facility at Truesdell Elementary School is reasonable and convenient for Sunday church activities when it is expected to have a majority of members attending services. The school is located on the southeast corner of the intersection of 9th Street and Ingraham Street and the church is located on the northwest corner of the intersection. There is an existing sidewalk from the school to the intersection, as well as to the front and sides of the lot, providing convenient walking access to and from the church.

2116.9 *The Board may impose conditions on any accessory or non-accessory parking spaces as to screening, coping, setbacks, fences, the location of entrances and exits, or any other requirement it deems necessary to protect adjacent or nearby property. It may also impose other conditions it deems necessary to assure the continued provision and maintenance of the spaces.*

Truesdell Elementary is an existing facility, which is adequately fenced and secure from the surrounding neighborhood.

Other

The Office of Planning has considered other issues not discussed in the applicant's submission, including lighting and the proposed removal of a 36" oak tree. OP suggests that the applicant:

- Direct lighting at the rear of the property downward or away from the abutting neighbor.
- Mitigate the impact of tree removal by replanting another tree (or trees) to the east or west of the property between the property line and the existing fence.

COMMUNITY COMMENTS

The applicant has informed the Office of Planning that they presented their proposal to ANC 4D at their regularly scheduled meeting on April 16th, 2003. The ANC voted unanimously to approve the application. Letters were also distributed to affected neighbors in the immediate neighborhood requesting their approval regarding the new church. According to the responses, OP has determined that the neighborhood seems aware of the proposal and the most affected neighbor abutting the property to the rear at 5307 Illinois Avenue supports the application.

The application was submitted to DDOT. To date, OP has not received this agency's comments.

CONCLUSION

OP supports the amended redesign of the site to minimize the adverse effects, which would have resulted from an over-build of the site's capacity. OP is satisfied that the applicant has attempted to mitigate the impacts of the original design with a reduction in the requested lot occupancy from 86% to 69%, and the inclusion of a rear yard setback, which met the standard prescribed by the R-3 zone District regulations (§404.1). OP has no objection to the applicant's variance request from the minimum three required parking spaces on site, due to the practical difficulty presented by site's configuration and the resulting parking area.

Therefore, OP recommends approval of the variance relief from the required:

- Lot Occupancy (§403.2),
- Open Court Width (§406.1),
- Parking requirement allowing 2 on-site spaces instead of 3 (§2116.3).

The application also satisfies the requirements of the special exception to permit more than 50% of the required spaces at a lot elsewhere other than the lot where the structure is located (§2116.5) pursuant to §3104 for special exceptions and in accordance with §§2116 through 2116.9.