STATEMENT OF REASONS IN SUPPORT OF APPLICATION
FOR VARIANCES FROM THE FAR, HEIGHT AND RESIDENTIAL RECREATION SPACE REQUIREMENTS OF THE ZONING REGULATIONS TO PERMIT THE CONSTRUCTION OF A MIXED-USE RESIDENTIAL AND RETAIL PROJECT AT
STREET, N.W.; SQUARE 71, LOTS 11, 19, 21, 23, 26-28, 34, 801-806, 812, 816 and 817

This Statement of Reasons is submitted on behalf of the applicant, EastBanc, Inc. ("EastBanc"), the contract purchaser of the subject property.

The Property. The subject property is located at 2110 M Street, N.W., Square 71, Lots 11, 19, 21, 23, 26-28, 801-806, 812, 816 and 817 (the "Property"), as well Lot 34 (the "Exxon Site"). Square 71, which is triangular in shape, is bounded by New Hampshire Avenue, N.W. to the southeast, M Street, N.W. to the north, and 22nd Street to the west. The northwest section of Square 71 is improved with an Exxon station. The Property occupies all but the southern lot of the remainder of Square 71. The Property, including the Exxon Site, contains 28,373 square feet.

Current Use. The Property is currently vacant but Lot 34 is improved with an Exxon gas station and associated retail use.

Proposed Use. By this application, EastBanc proposes to construct a mixed-use development for retail and residential use on the Property. Additionally, a canopy will be constructed over the filling pumps at the Exxon Site. The proposed new building will consist of 145 parking spaces, 11,700 square feet of retail/service space on the ground level and approximately 110 apartment units on levels 2 through 9.

Zoning and Variance Requirements. The Property is in the C-2-C zone district. The C-2-C zone district permits matter-of-right high density development, including office, retail, housing, and mixed uses.

FAR Variance. The maximum FAR is 6.0 for residential use, with a maximum of 2.0 FAR allowed for other permitted uses. The FAR of the proposed project is 6.26. The extra FAR is a consequence of the inability to utilize the Exxon Site for development and the need to construct a canopy over the Exxon Site so as to separate it from the residential development which is being proposed. The canopy accounts for .26 FAR since it encloses a site that was previously open to the sky.

Height Variance. The maximum height in the C-2-C zone district is ninety feet (90'). However, the southeastern edge of the Property is along New Hampshire Avenue, N.W. Under the 1910 height act (D.C. Code §6-601.05), and based on the street width of New Hampshire Avenue, the maximum allowable building height is 110 feet, in the absence of the C-2-C zoning. A height of 110 feet is also necessitated by the compression of the buildable area due to the oddly configured lots and the continued presence of the Exxon gas station. The proposed height of 110 feet is consistent with the buildings in the surrounding neighborhood and the Comprehensive Plan.

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Residential Recreation Space. The residential recreation space requirement in the C-2-C zone district is fifteen percent (15%) of residential gross floor area, of which at least fifty percent (50%) must be located outdoors. As the proposed project contains 156,000 gross square feet of residential space, the total residential recreation space requirement for the project is 23,400 square feet. A variance from this requirement is necessary so as to allow maximum building efficiency on the small, irregularly shaped site. The proposed project contains 7,800 square feet, or five percent (5%), residential recreation space, of which 6,300 square feet (80%) is located outdoors. This provision is consistent with the provisions of the Downtown Development District, which have been amended so as to reduce the residential recreation space requirement to five percent (5%).

CONCLUSION

For the reasons stated herein and for the reasons provided at the hearing, the variances can be granted 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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