Government of the District of Columbia
Advisory Neighborhood Commission 1A
3511 14th Street, NW, 2nd Floor
WASHINGTON, DC 20010
(202) 588-7278

March 12, 2003

D.C. BOARD OF ZONING
2003 MAR 13 PM 3:24

Christopher Donatelli
Columbia Heights Ventures
c/o Donatelli & Klein, Inc.
7200 Wisconsin Avenue, Suite 310
Bethesda, MD 20814

RE: Exception and variance relief for Square 2848 (All or Portions of Lots 71, 824, 865, and 867), Square 2843 (Lot 836), and Portions of Alley and Street to be Closed

Dear Mr Donatelli:

This letter is to advise that ANC 1A, at its regularly scheduled public meeting, held March 12, 2003, at which a quorum was present, voted to support the above-referenced special exception and variance relief. The relief is requested by RLA Revitalization Corporation and Donatelli & Klein, owner and developer of the property respectively, to permit the development of the property with residential and retail uses.

The Applicant is requesting a variance from Section 770.1 of the Zoning Regulations to permit a building with a height of eighty-five (85) feet. The property is affected by several exceptional situations and conditions which result in the requested variance relief. Due to the set backs needed to accommodate the Metro facilities, the setbacks required to provide for additional public space and the complex foundation issues related to the below-grade Metro facilities, the project cannot accommodate the permitted gross floor area within the permitted height, creating a practical difficulty for the proposed development. Thus, in order to create a viable project, the additional height is necessary. The Commission finds that the variance relief can be granted without substantial detriment to the public good or the District's Zone Plan.

The Applicant also requests a variance from the side yard requirements. Section 775 of the Zoning Regulations does not require a side yard to be provided; however,

BZA
Case No. 17028
Exhibit No. 11

Board of Zoning Adjustment
District of Columbia
CASE NO. 17028
EXHIBIT NO. 11

if a side yard is provided, the side yard must be at least fourteen feet, two inches for this project. The proposed side yard ranges in width from six feet to twelve feet and serves to increase the width of the sidewalk along 14th Street. If no side yard was provided, the sidewalk would be exceptionally narrow. Due to the limited amount of public space and the need to create a viable building, compliance with the technical side yard requirements creates a practical difficulty for the project. However, the Commission is confident that the variance relief can be granted without substantial detriment to the public good or the District's Zone Plan, and, in fact, the Commission finds that the granting of the variance is a benefit to the neighborhood and the public in general.

In addition, the Applicant requests a special exception pursuant to Section 2108 of the Zoning Regulations to reduce the required parking for the retail portion of the building. The project provides more parking than is required for the project as a whole. However, the Applicant requests a twenty-five percent reduction in the number of parking spaces required for the retail portion because the additional parking is not necessary at this development. The Commission believes that the retail portions of this building will be community-serving retail and, as such, will be accessed primarily by local pedestrian traffic. In addition, the project's adjacency to Metro will significantly reduce the amount of vehicular traffic at the site. The Commission supports this special exception and believes that the project satisfies the requirements of Section 2108.3(a) through (e).

Furthermore, the Commission supports the Applicant's request for a special exception from Sections 770.6 and 411 from the one enclosure and set back requirements. First, the Commission believes that the proposed design of the penthouse in multiple, smaller enclosures minimizes the impact and visibility of the penthouse, is consistent with the intent and purpose of Chapter 400 and the Zoning Regulations, and does not adversely affect the light and air of adjacent buildings. from Sections 411 and 770.6(b) with respect to the setback of the roof structure. Moreover, the Commission finds that compliance with the setback requirement is impractical because of operating difficulties and that full compliance would unduly restrictive, prohibitively costly, or unreasonable. In addition, the Commission determined that granting the special exception would not materially impair the intent and purpose of Chapter 400 and the Zoning Regulations and that the light and air of adjacent buildings would not be adversely affected.

Finally, to the extent that a variance from Section 773 of the Zoning Regulations relating to the amount of residential recreation space provided is needed, the Commission supports such a variance. The property is affected by several exceptional situations and conditions which result in the requested variance relief. Specifically, due to the utilization of space for Metro facilities on the property, the project may not be able to accommodate the required amount of residential recreation space. The space within the building and on the roof has been

maximized while exterior ground floor space is limited due to the location of the Metro facilities. The Commission finds that the variance relief can be granted without substantial detriment to the public good or the District's Zone Plan.

ANC 1A strongly supports the Applicant's requests for special exception and variance relief. The development of this property for residential and retail uses is important to the community and the District as a whole.

Sincerely,

Charles E. Matiella
Chair

Jenna Mohayer
Secretary