

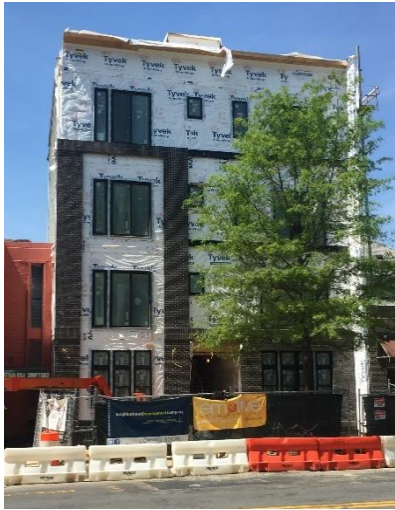
BZA Application:
4424 Georgia Ave. NW
BZA Case No. 19230

Presented by:
Samantha Mazo
Griffin, Murphy,
Moldenhauer & Wiggins, LLP



Board of Zoning Adjustment
District of Columbia
CASE NO.19230
EXHIBIT NO.42

Multi Family Projects on Georgia Avenue NW



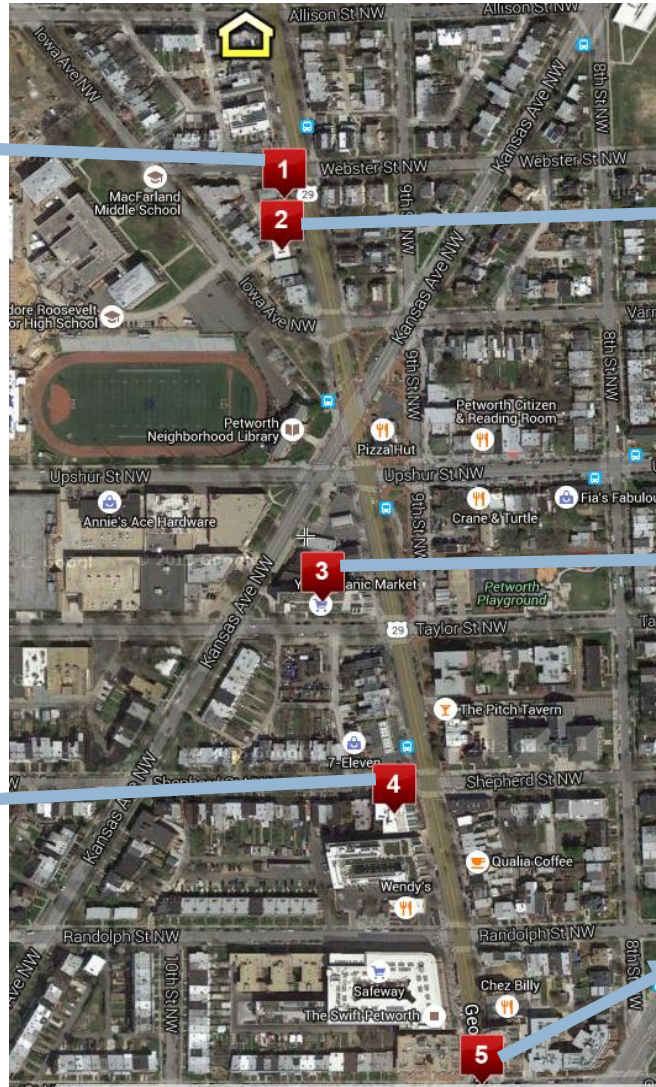
4318
Georgia
Avenue



4308
Georgia
Avenue



4100
Georgia
Avenue



3930
Georgia
Avenue



Intersection of
Quincy Street
and Georgia
Avenue

Continuous Ground Floor Retail Along Georgia Avenue



Surrounding Properties



Multifamily across Allison Street looking north

Surrounding Properties



Multifamily east side of Georgia Avenue – North on Allison Street

Surrounding Properties



View to the west down Allison Street

Zone: C-2-A



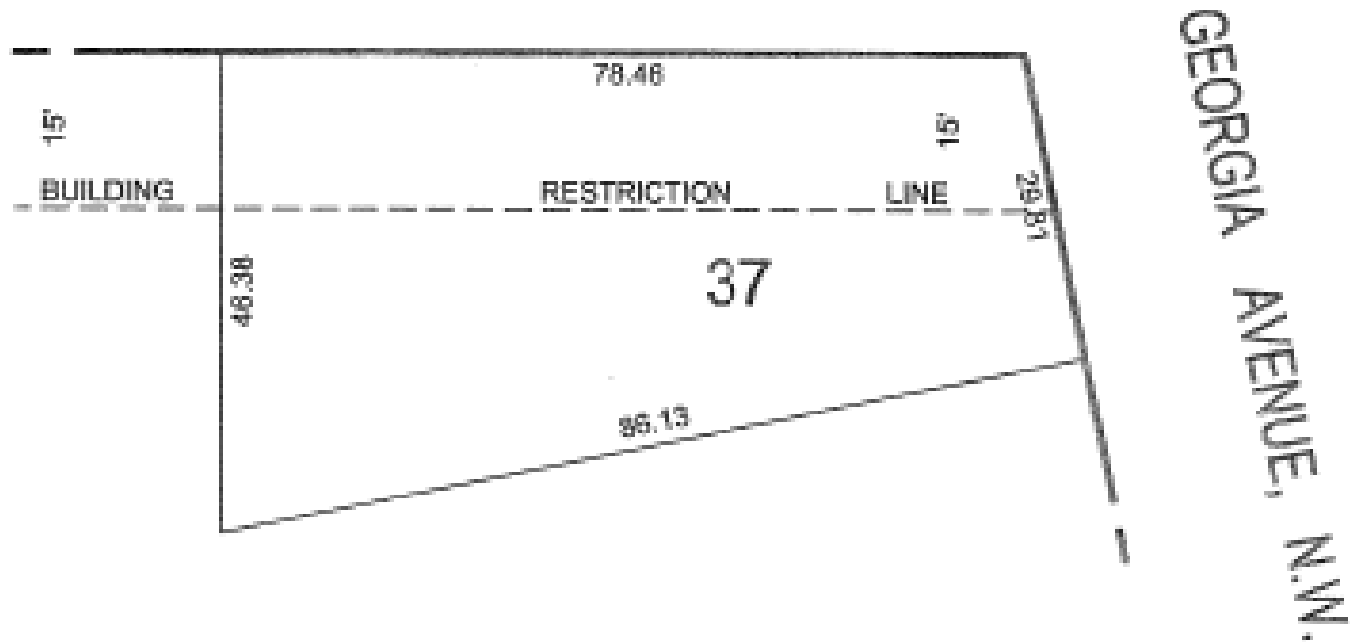
Unique Characteristics



- **Corner Lot**
- **Landlocked**
- **Irregular Shape**

Unique Characteristic: 15' BRL on Allison Street

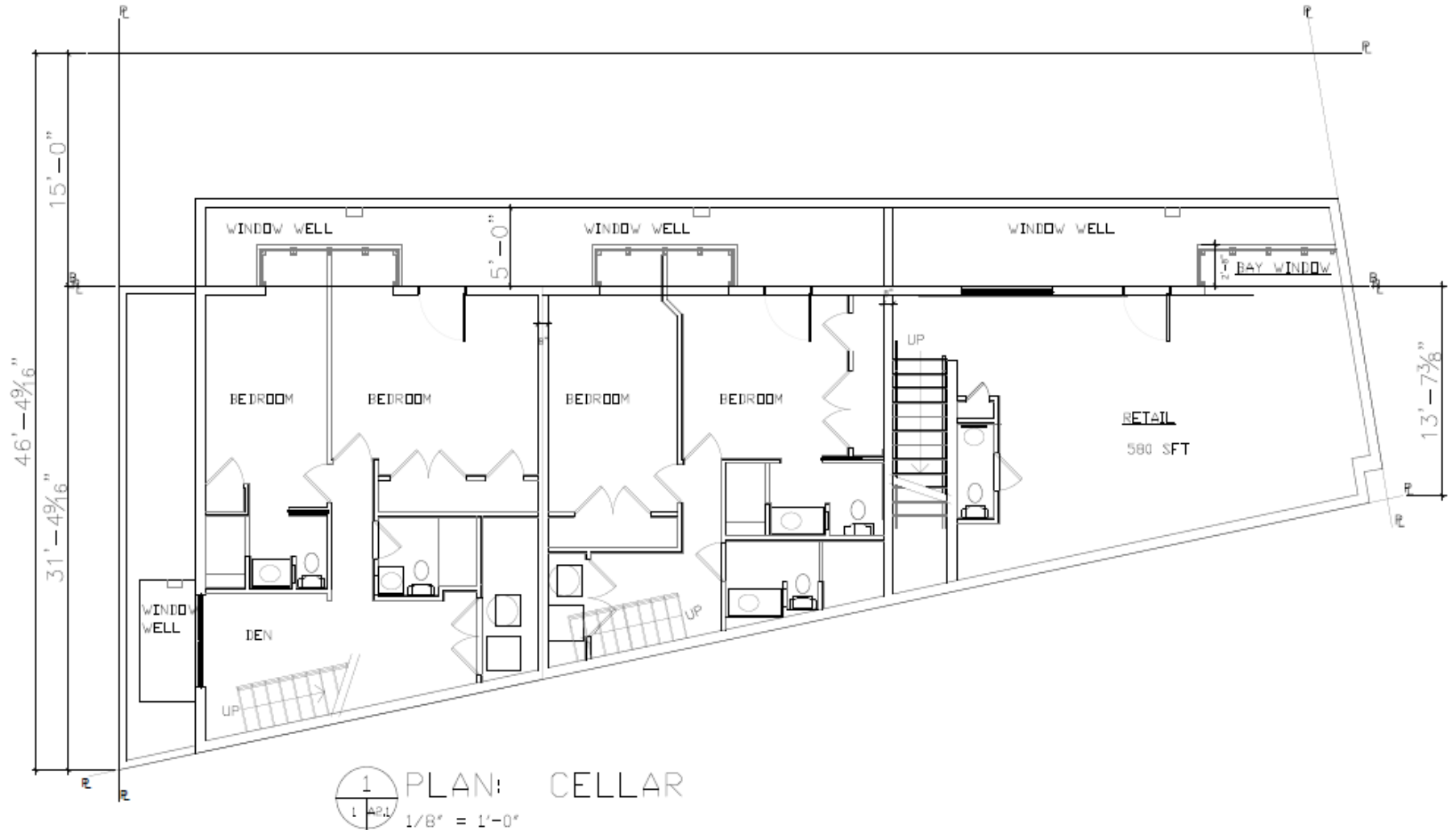
ALLISON STREET, N.W.



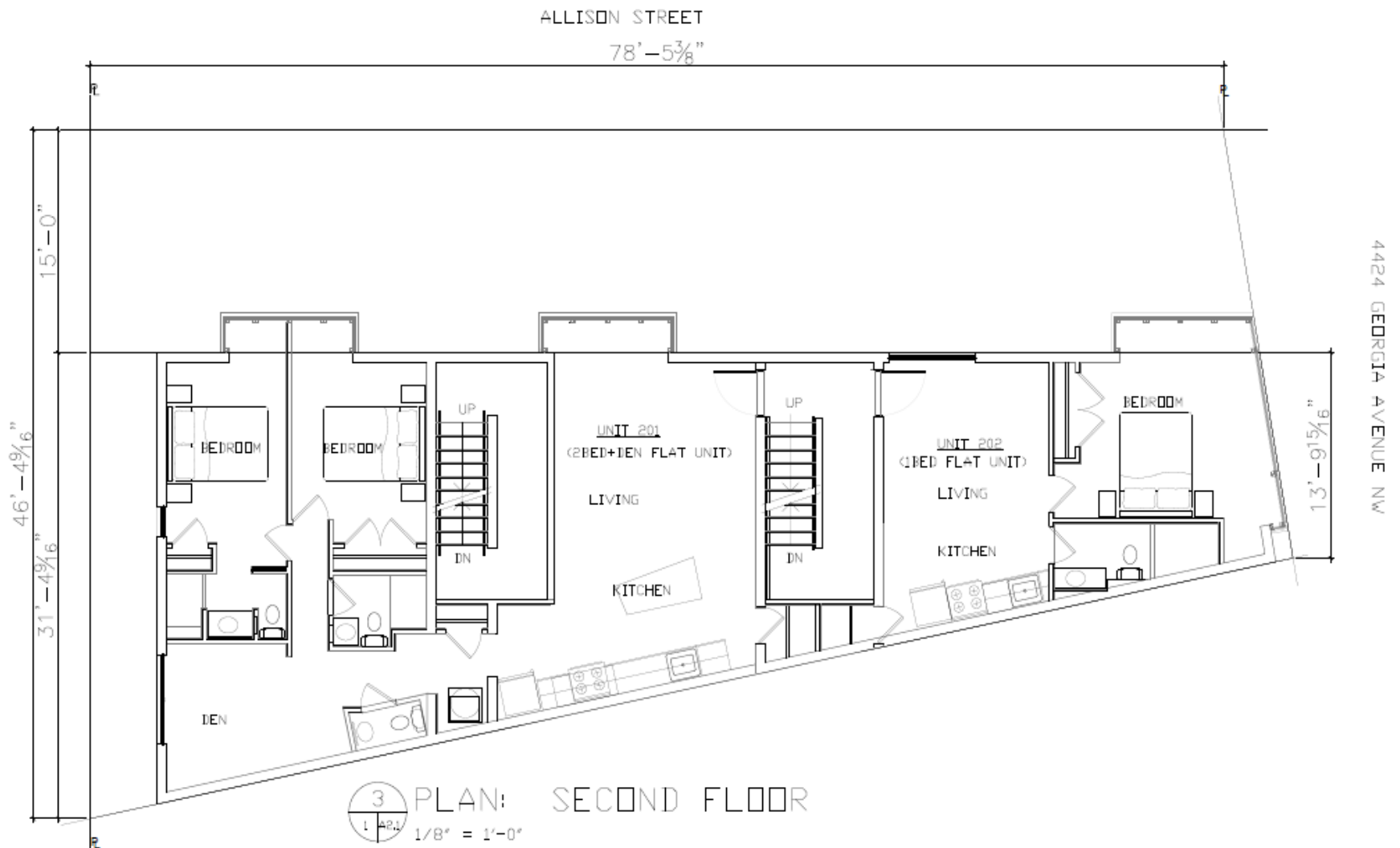


Project

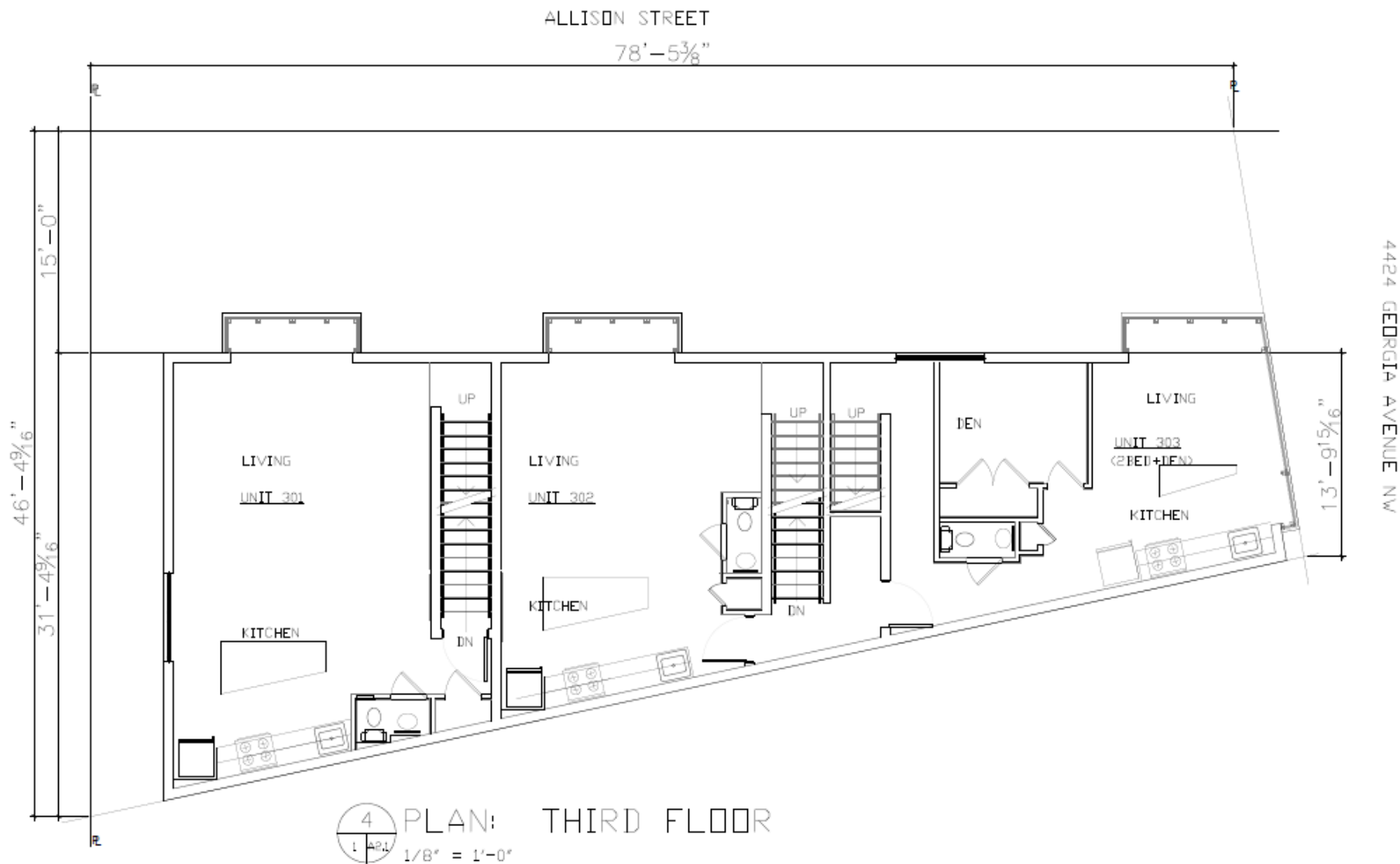
ALLISON STREET



Plan: Cellar



Plan: Second Floor



Plan: Third Floor

ALLISON STREET

78'-5 $\frac{3}{8}$ "

R

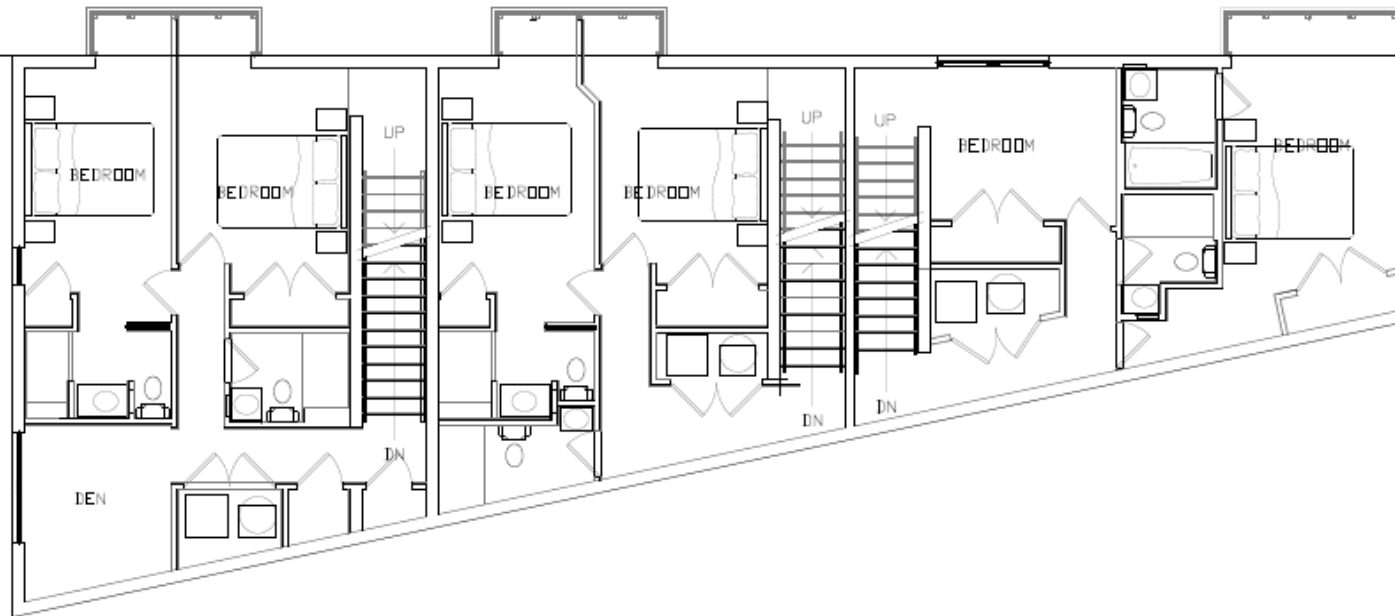
15'-0"

46'-4 $\frac{9}{16}$ "

31'-4 $\frac{9}{16}$ "

R

R



8'-3 $\frac{3}{8}$ "

4424 GEORGIA AVENUE NW

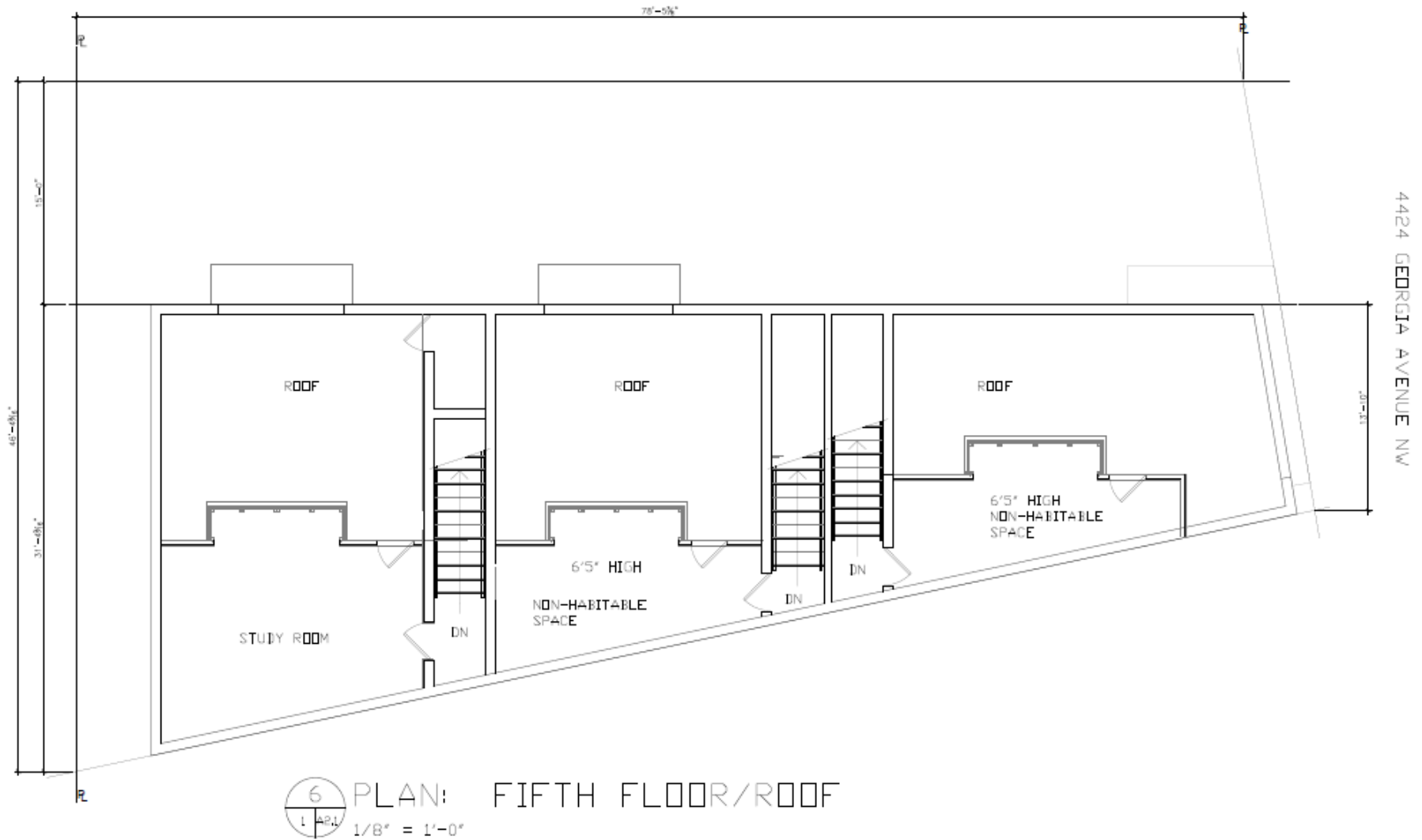


PLAN: FOURTH FLOOR

1/8" = 1'-0"

Plan: Fourth Floor

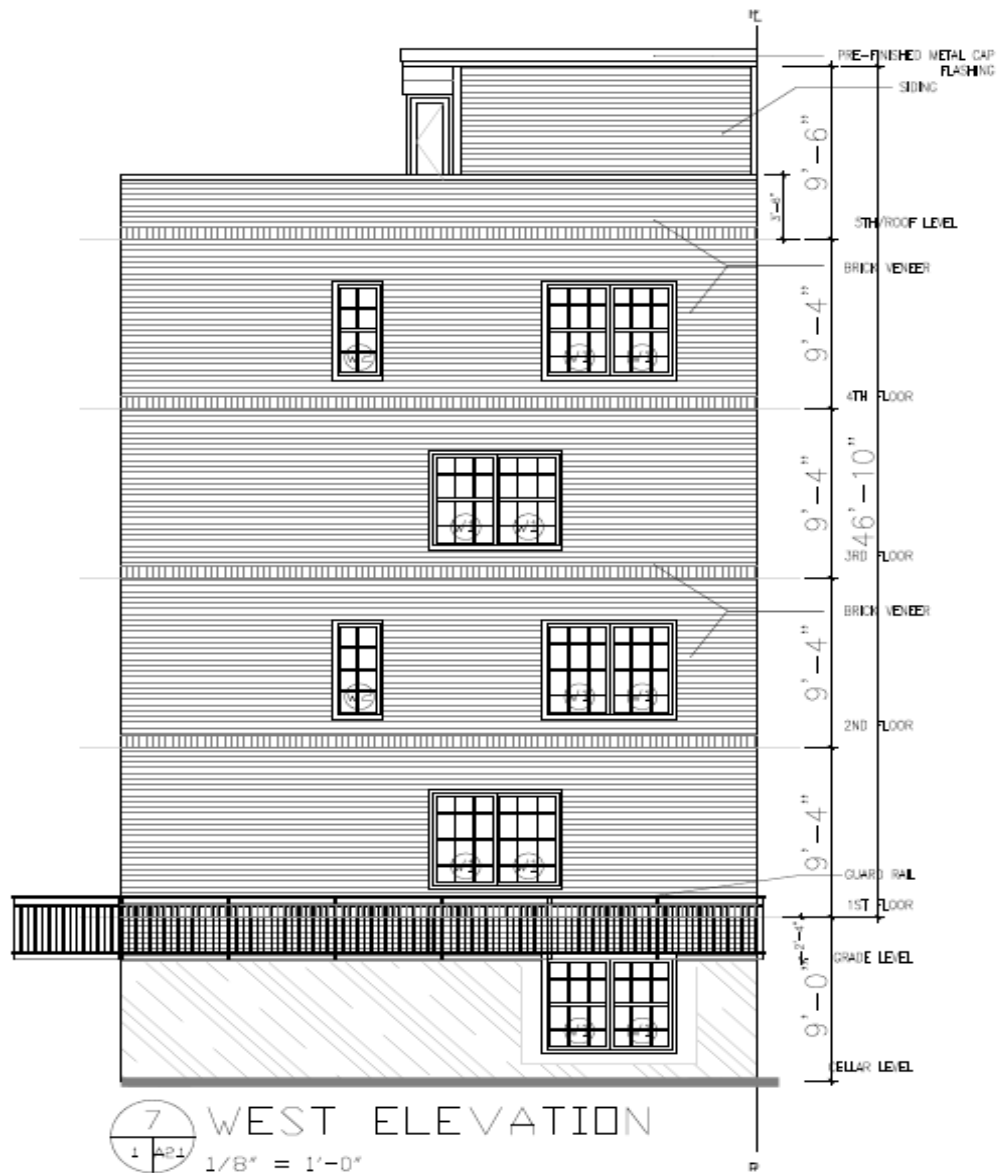
ALLISON STREET



Plan: Fifth Floor/Roof

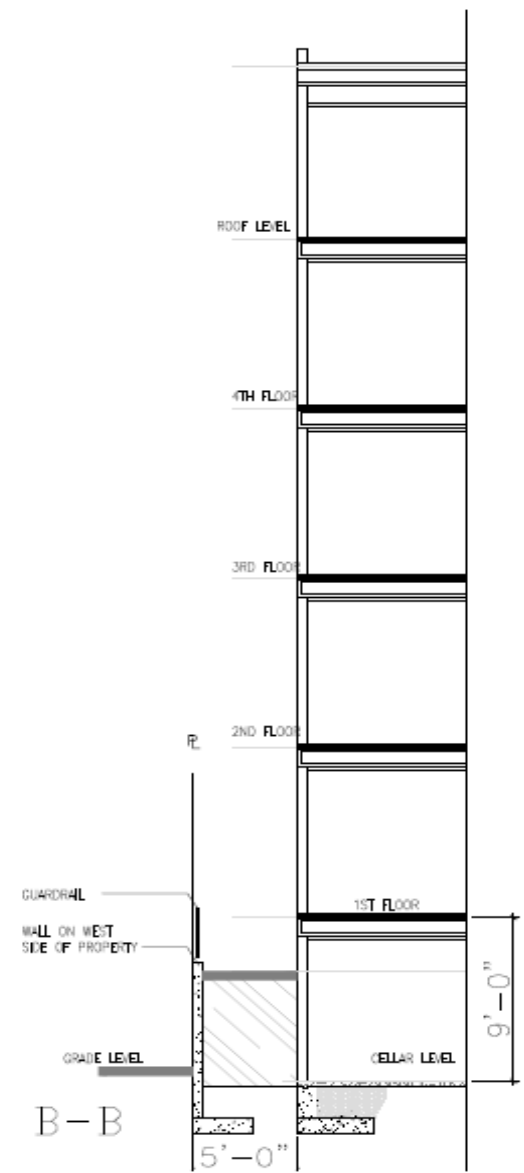


Elevation: Allison Street

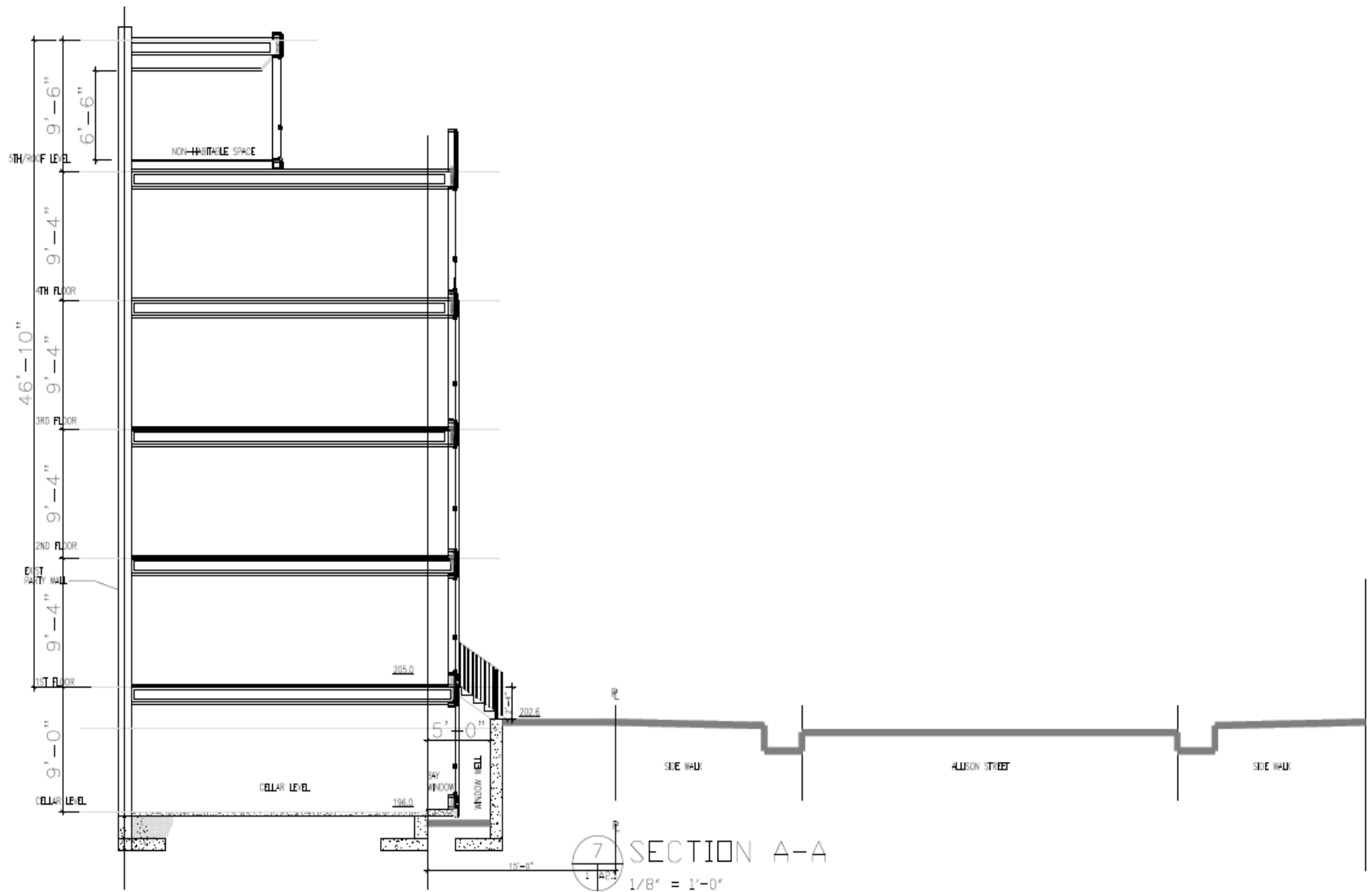


SECTION B-B

1/8" = 1'-0"



Elevation West



Section

Sun Study:

8 AM



9 AM



Noon



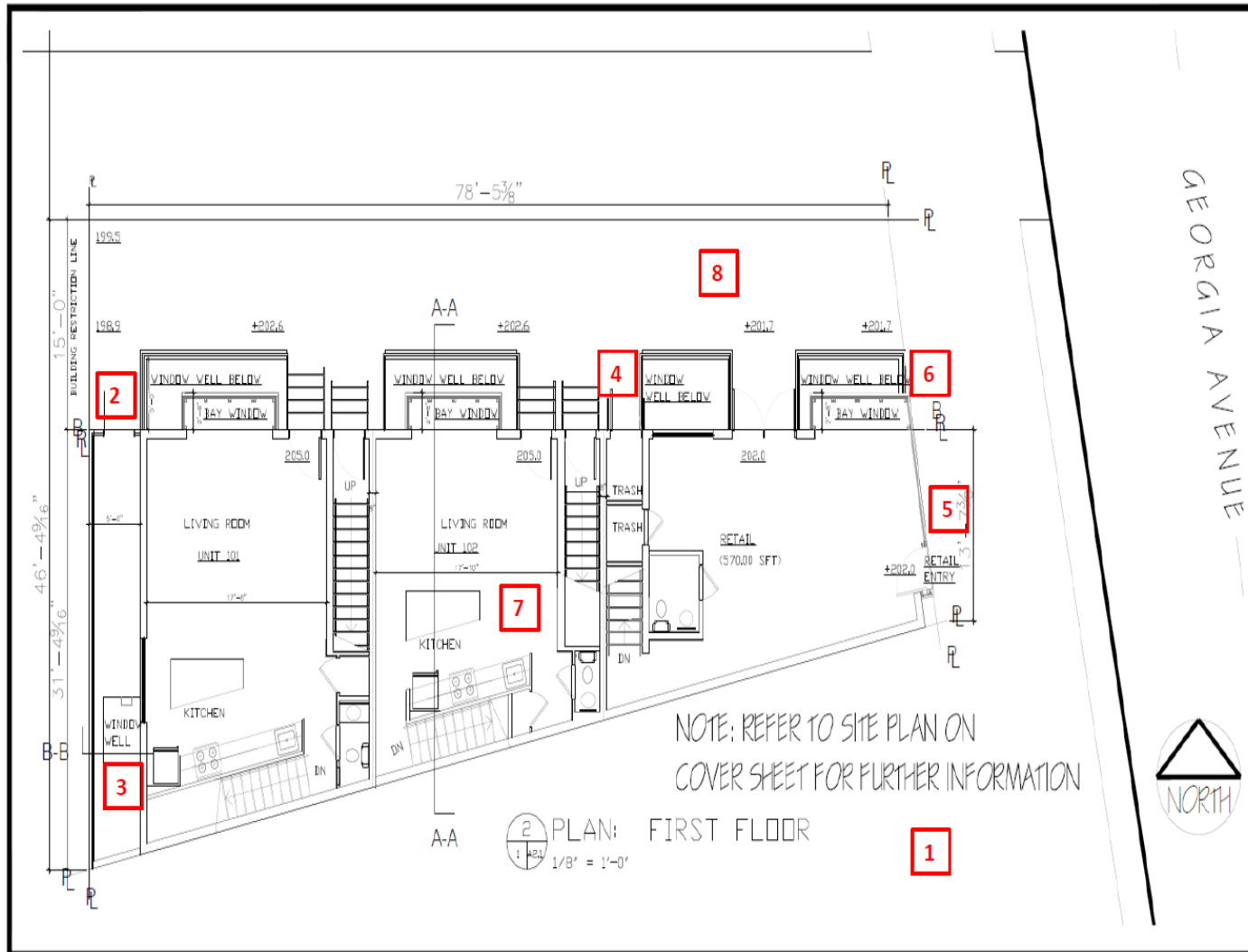
3 PM



4 PM



Summary of Changes to the Plans Since Filing



Summary of Changes to the Plans Since Filing

1. Reduce footprint by 80 total residential reduction approximately 400 feet.
2. Pulling the rear of the building 5 feet back from the rear property line.
3. Adding windows to the rear of the building.
4. Removing the exterior stairs from the second story and reducing the projection of the stairs into the Allison Street BBL area.
5. Incorporating storefront window fenestration from the retail space on Georgia Avenue.
6. Providing ADA compliant access to the retail space.
7. Proposing lattice patterns on the brick façade.
8. Proposing illustrative landscaping for the green area along Allison Street.

Community Outreach

- On-site with Commissioner Hayworth: February 19
- **TWO** on-site Community Meetings: February 25 and March 20
 - ▣ Attended by at least 8 neighbors, including two representatives of 1104 Georgia Avenue (the property to the west along Allison Street).
 - ▣ Issues raised:
 - Parking
 - Successful Retail
 - Design of Building
 - Creating 5 foot rear yard
- Presentation to the ANC: March 9
- ANC vote to support the Project: April 13.
- The Applicant has twice filed revised plans to the BZA based on concerns and comments made by the ANC and the neighbors.

Case Law on Uniqueness

- The unique or exceptional situation may arise from a confluence of factors which affect a single property. *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990).
- The phrase “exceptional situation or condition” in the variance test applies not only to the land, but also to the existence and the configuration of a building on the land. See, *Clerics of St. Viator, Inc. v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 294 (D.C. 1974).

Uniqueness

- **The Property is unusual and affected by an exceptional situation and condition:**
 - **Corner Location:** Corner lot on Georgia Avenue and Allison Street NW, Surrounding properties to the west and south are commercially zoned.
 - **No Rear Alley Access:** Landlocked property with no rear alley access. No off-street parking is possible without a curb cut,
 - **Trapezoidal- Shaped Property:** The front property line on Georgia Avenue is approximately 16' – 6" narrower than the rear property line.
 - **15-Foot Building Restriction Line Along Allison Street:** 15-foot building restriction line along the Allison Street frontage. This restricts the width of the project to approximately 13' – 7.5" in the front along Georgia Avenue and 31'-4.5" in rear.
 - **Ground Floor Commercial Nature of the Properties to the South Along Georgia Avenue:** The Applicant wants to continue the long-term commercial nature of the block by developing space for successful retail as part of this project.

Property Lines

4424 Georgia Avenue NW – Property Lines



Photo taken during March 20, 2016 on-site Community Meeting. Property lines identified using garden hose. As shown, the property has no alley access.

Property Is Unique in the Square



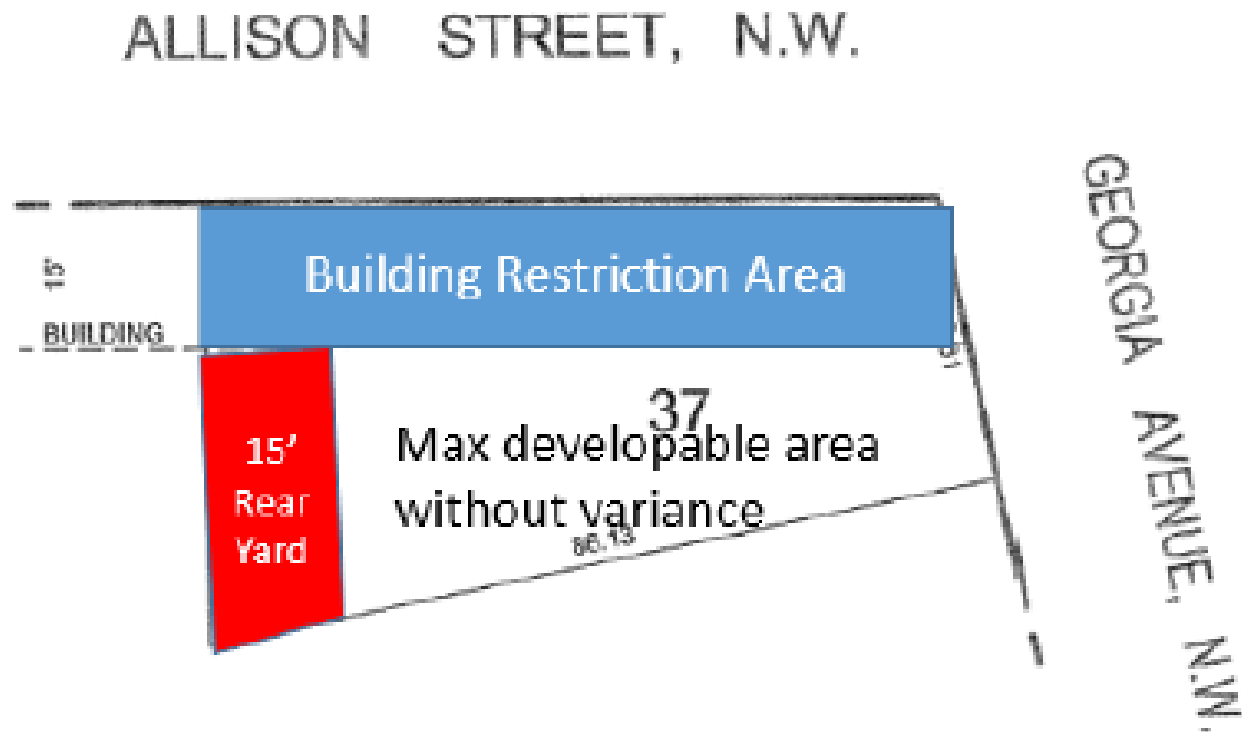
Case Law on Practical Difficulty

- Area variances only require proof of practical difficulties, while use variances require proof of hardship, a somewhat greater burden; See *Palmer v. District of Columbia Bd. Of Zoning Adjustment*, 287 A.2d 535, 540-41 (D.C. 1972)(
- Practical difficulties have been found when compliance with the Zoning Regulations would be “unnecessarily burdensome.” See *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1170 (D.C. 1990).
- The Court has found that self-created hardship is not a factor to be considered in an application for an area variance, because that factor applies only to a use variance. See *Assoc. for Preservation of 17000 Block of N Street NW et. Al. v. DC BZA*, 384 A.2d 674 (1978); See also, *Salsbery v. District of Columbia Board of Zoning Adjustment*, D.C. App., 357 A.2d 402, 404 (1976).

Practical Difficulty

- **Parking (§2101.1):** The Project is required to provide four parking spaces pursuant to §2101.1. But, as a result of the landlocked, corner location of the Property, the Project cannot provide any parking spaces on site.
- **Rear Yard (§774.1):** Pursuant to 11 DCMR §774.1, a 15-foot rear yard would be required. The Project is providing a five-foot rear yard. The existence of the unique features of this property would result in practical difficulty for the Applicant if the zoning relief is not provided.
 - Irregular trapezoidal shape: Results in the bulk of building being located in the rear, where the property is the widest. Mandating a rear yard in the property's widest area would be unnecessarily burdensome and would create severe programmatic inefficiencies.
 - BRL area: Results in the building being narrow and located to the west and south. A 15-foot setback from the rear property line in addition to the existing building restriction area would further truncate the developable building footprint by approximately 19%, causing a practical difficulty for the Applicant.
 - Georgia Avenue Retail: The Applicant wants to retain commercial use along the Georgia Avenue frontage. But, this would be practically difficult without a rear yard variance, because it would be hard to provide separate commercial and residential, as a required by code.

Max Developable Area Without Variance



No substantial detriment to the public good or zone plan

- The requested variances can be granted without causing substantial detriment to the public good and without substantial impairment to the intent, purpose, or integrity of the Zone Plan. The Project is in line with the C-2-A zoning and goals.
- As to parking, the Property is well served by the surrounding transit network, there is supply of available on-street parking, and the requested variance from the minimum parking requirement will not have a substantial impact on the public good.
- Also, the Applicant has agreed to certain TDM measures, including ineligibility for RPP, bike spaces and car or bike sharing membership.
- With respect to the rear yard relief, the project provides a 5' rear yard, which will provide 11 feet between the properties to allow light and air.
- The sun study shows that the shadow impact on the adjacent property on Allison Street will be limited to the morning.

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Project Information

PARTIAL RETAIL AND RESIDENCES AT 4424 GEORGIA AVENUE, NW WASHINGTON DC 20011

PROJECT INFORMATION

OWNERS: 4224 GEORGIA AVENUE LLC (PURCHASING ENTITY)
KNOTTS & RICHARD H HILTNER (CURRENT OWNERS)

DESCRIPTION: THE EXISTING STRUCTURE IS ONE STORY SLAB ON GRADE HOME & PARTIAL RETAIL HAVING LOT AREA 3103.00 SFT, FAR 2.5, ie 7,757.50 SFT BUILDABLE AREA. IT IS PROPOSED TO ADD A CELLAR, 1ST TO 5TH FLOOR, HAVING PARTIAL RETAIL AND 7 RESIDENTIAL UNITS. IT IS A LAND-LOCK PIECE OF PROPERTY. THE EXISTING LOT GRADING WILL REMAIN THE SAME.

LOT INFORMATION LOT 37, SQ 2717, ZONE C2A
LOT AREA BY RECORD 3103.00 SFT
FAR = 2.5 i.e. BUILDABLE AREA 7757.50 SFT
EX. BUILDING FOOT-PRINT, CELLAR+2 STORY BK, 1202.00 SFT APPRX.
EXISTING LOT COVERAGE - 38.76 %
PROPOSED BUILDING FOOT PRINT - 1780.00 SFT/FLOOR
PROPOSED LOT COVERAGE - 57.36 %

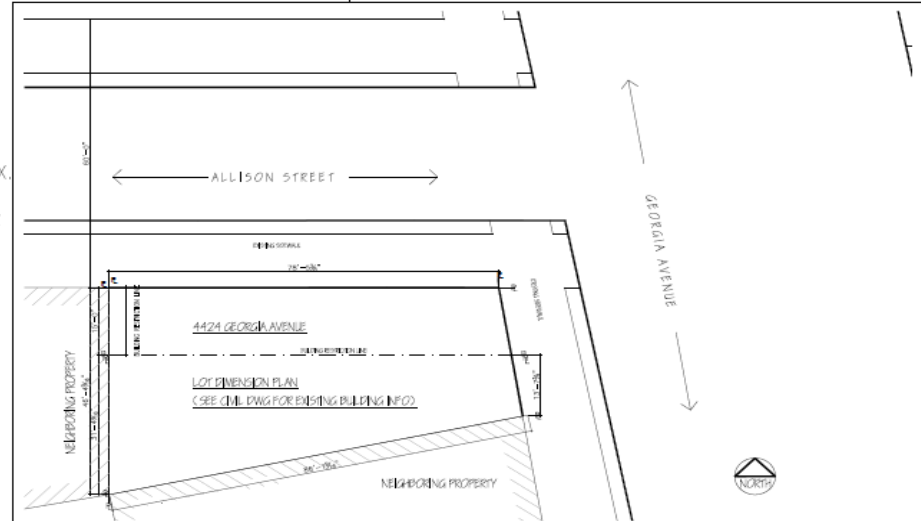
AREA PROPOSED: 1st FLOOR RETAIL - 570.00 SFT
1st FLOOR RESIDENTIAL - 1210.00 SFT
2, 3 & 4 FLOOR RESIDENTIAL - 5340.00 SFT
5 FLOOR RESIDENTIAL - 610.00 SFT
TOTAL PROPOSED AREA OF BUILDING 7730.00 SFT
FIRST FLR IS LESS THAN 4' FROM GRADE.

GOVERNING CODES: IBC 2012, IRC 2006, DCMR 12, 2012
CONSTRUCTION TYPE: TYPE - V B
USE GROUP: RESIDENTIAL R-5 & RETAIL WILL BE BUSINESS - B

LOCATION PLAN



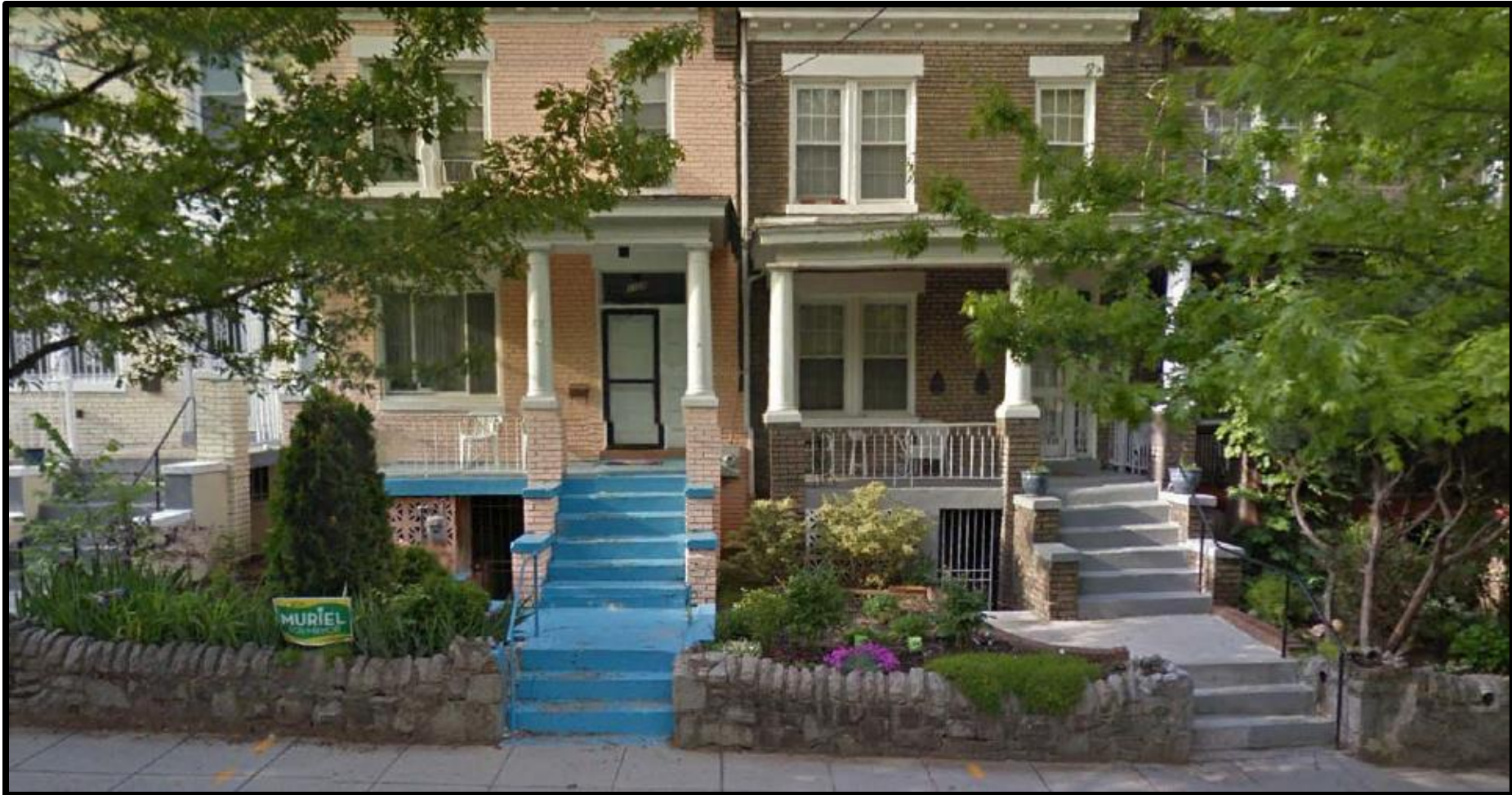
SITE PLAN



SCHEMATIC: CONDOMINIUMS:
4424 GEORGIA AVENUE, NW
DISTRICT OF COLUMBIA

MARCH 30, 2016
N.T.S.

Surrounding Properties



Exterior staircases on Allison Street row dwellings

Community Outreach: Flyers



WHEN: Thursday, February 25, 2016 at 6:30 PM

WHERE: 4424 Georgia Avenue, NW
Washington, DC 20011

WHY: To discuss and present plans for Board of Zoning Adjustment
Application #19230.

Learn more about plans to redevelop 4424 Georgia Ave, NW into a mixed
use property.

More information is available online at the DC Office of Zoning's website.
www.dcoz.dc.gov

If you have any questions or concerns please contact Samantha Mazo at
(202) 530-7158 or smazo@washlaw.com

Hosted by: 4424 Georgia Avenue, LLC



WHEN: Sunday, March 20, 2016 at 6:00 PM

WHERE: 4424 Georgia Avenue, NW
Washington, DC 20011

WHY: Second community meeting to discuss plans for Board of
Zoning Adjustment Application #19230.

Learn more about proposal to redevelop 4424 Georgia Ave, NW into a
mixed use property.

More information is available online at the DC Office of Zoning's website.
www.dcoz.dc.gov

If you have any questions or concerns please contact Samantha Mazo at
(202) 530-7158 or smazo@washlaw.com

Hosted by: 4424 Georgia Avenue, LLC

Intended Use:



- The Property is currently improved with a one to three story commercial buildings
- We propose to construct a mixed use building with approximately 580 square feet of ground floor retail and seven apartment house units.

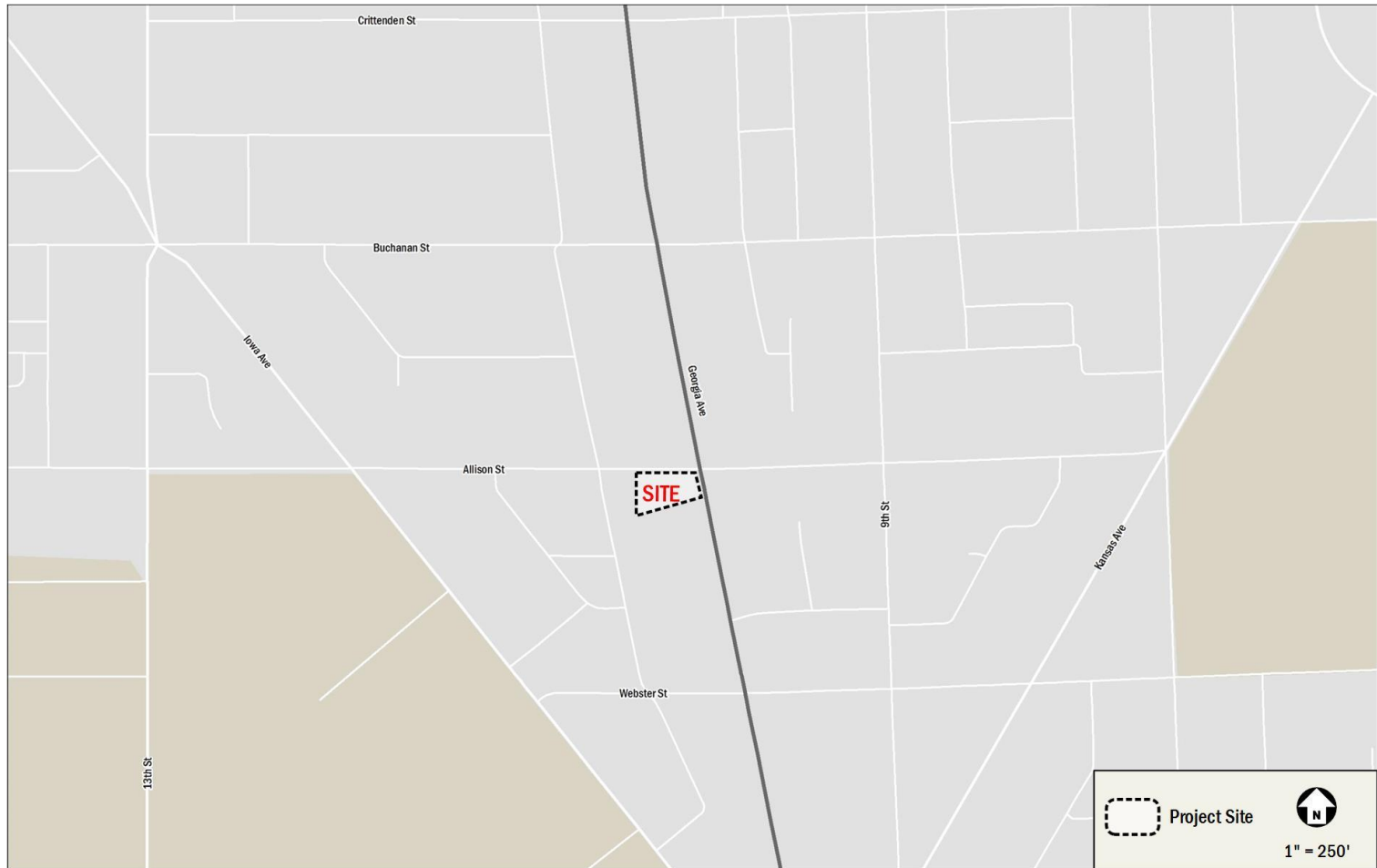
4424 Georgia Avenue NW Transportation Overview



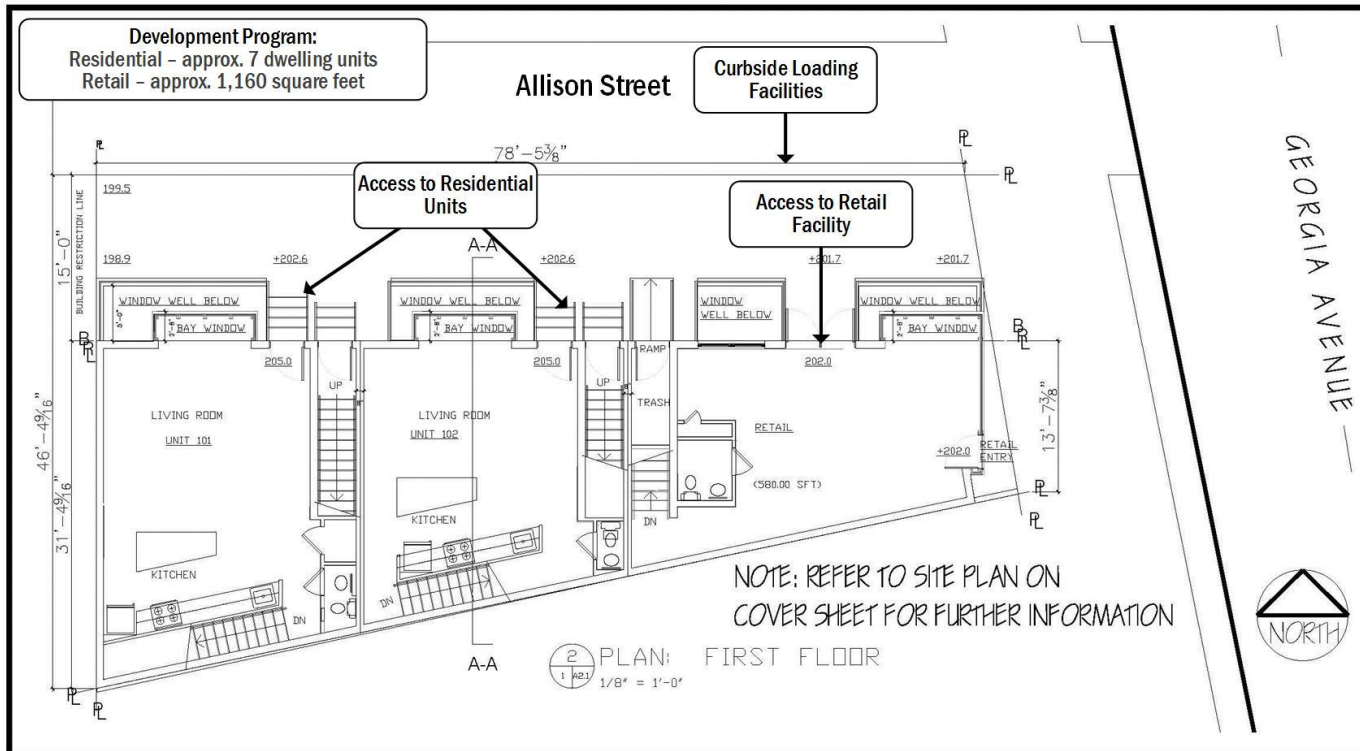
GOROVE / SLADE

Transportation Planners and Engineers

Site Location



Proposed Site Plan



SCHEMATIC PLANS: CONDOMINIUMS: 4424 GEORGIA AVENUE, NW
DISTRICT OF COLUMBIA

Site Plan



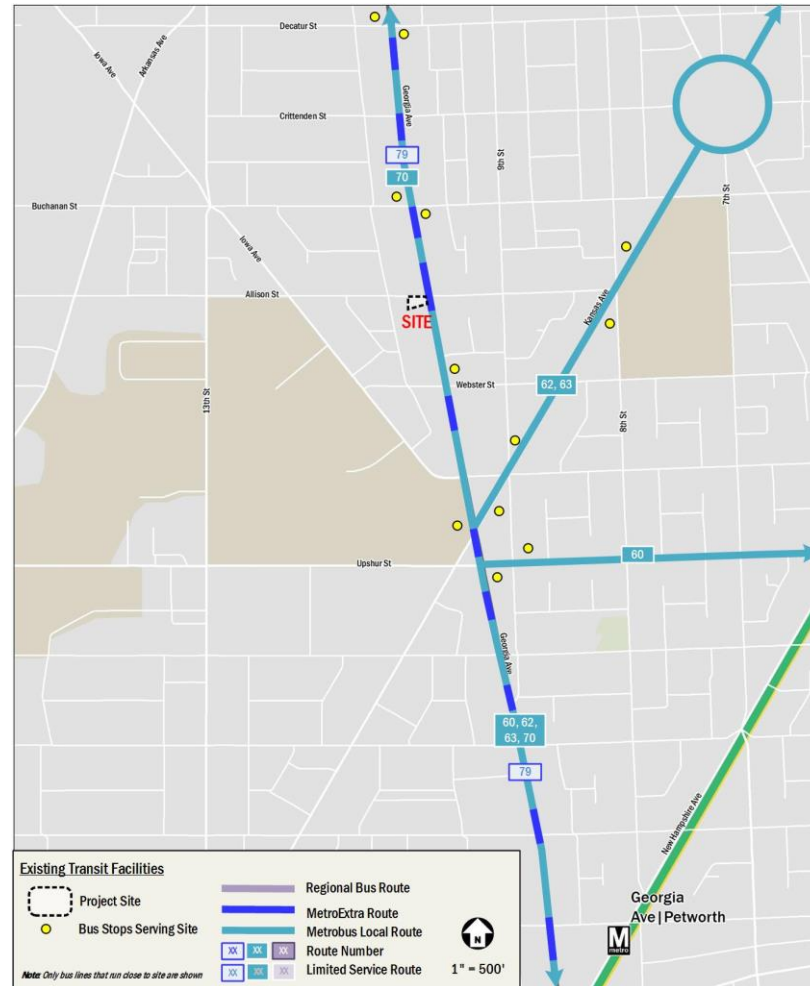
Not to Scale

Parking Requirement

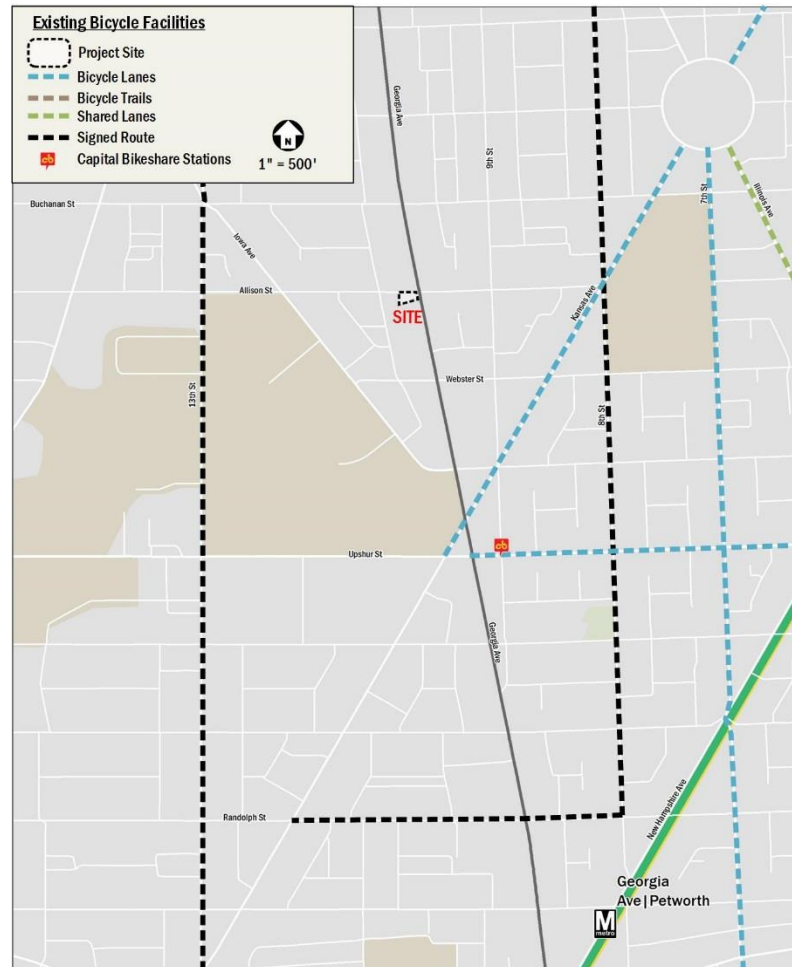


- Parking:
 - Zoning requirement: 4 spaces (for 7 DU & 1,160 sf retail)
 - No parking proposed
 - Parking variance requested: 4 spaces
 - Proposed zoning rewrite requirement: 1 space

Existing Transit & Carshare Service



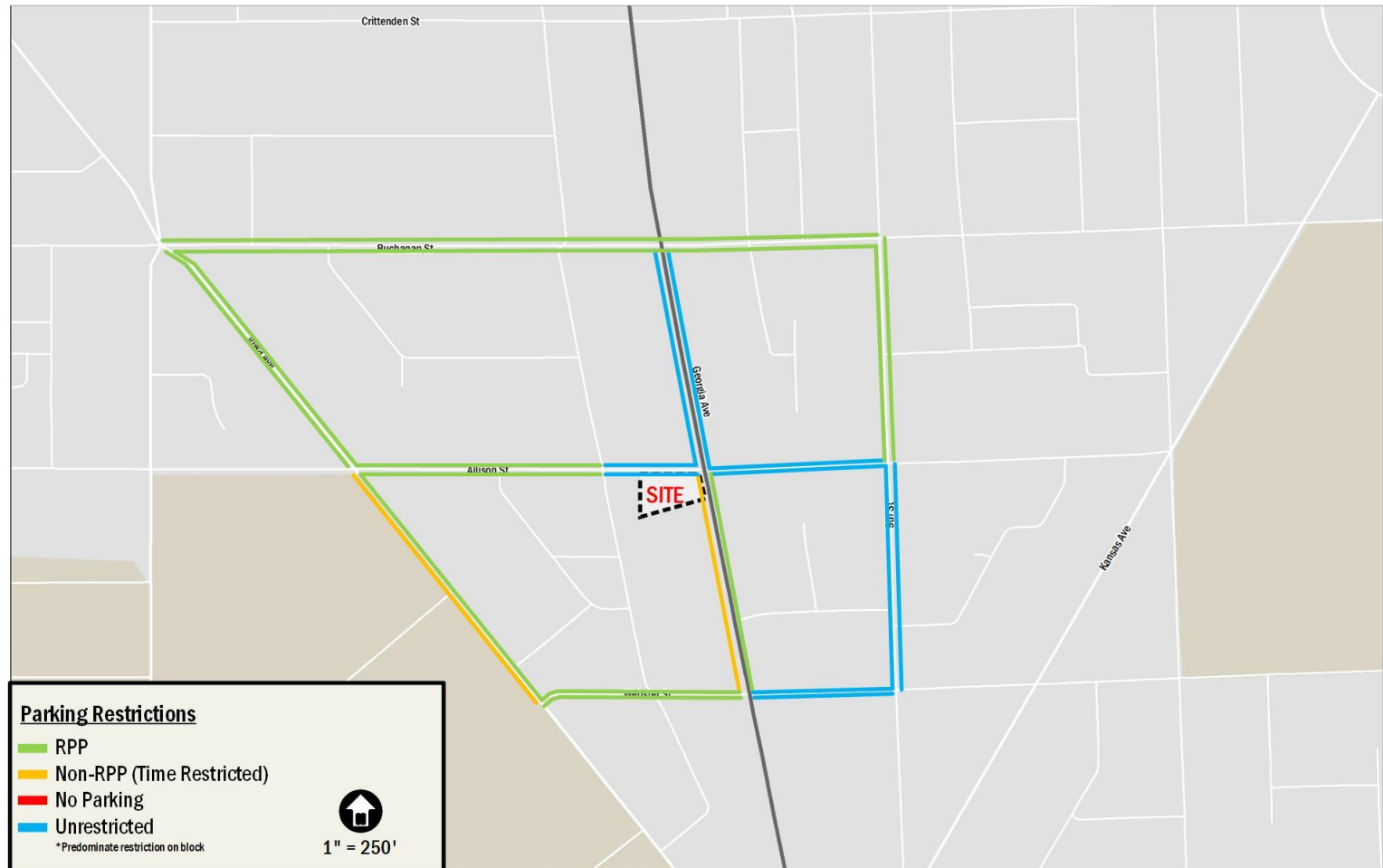
Existing Bicycle Facilities



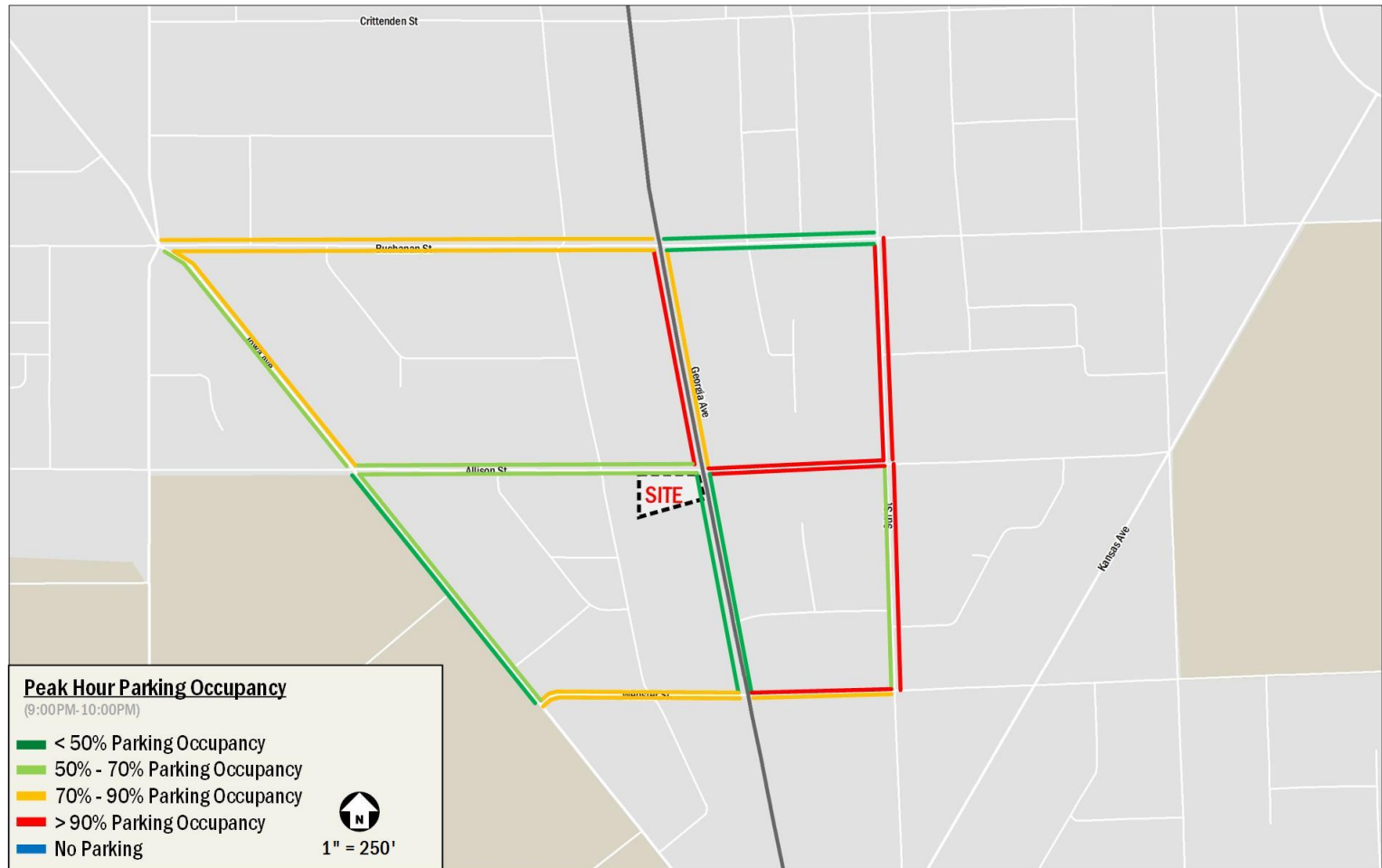
Nearby On-Street Parking

- On-Street Parking Inventory
 - 320 On-Street Spaces
 - 216 RPP Spaces
 - 22 Non-RPP Spaces (Primarily Metered)
 - 82 Unrestricted Spaces
- On-Street Parking Utilization
 - Peak Occupancy at 9:00pm
 - 228 of 320 spaces occupied (71% Utilization)
 - 92 spaces available

Nearby Parking Inventory



Nearby Parking Occupancy



Parking Relief Justification

- Proximity to transit and alternative travel modes:
 - 5 Nearby Metrobus routes
 - Georgia Avenue-Petworth Metrorail Station approximately 0.6 miles from site
 - 1 Nearby Capital Bikeshare station & 2 nearby Carshare locations
- Marketing project to large market of non-driving residents with great access to transit and other modes:
 - 39% of households do not own a car
 - 62% of rental households do not own a car
 - 54% of Households do not commute to work by car
- Site restricted from Residential Permit Parking (RPP) stickers

TDM Measures



- Restrict residents from RPP eligibility.
- Investigate the installation of a TransitScreen.
- Work with DDOT to determine the location of a future Capital Bikeshare Station.
- Schedule and locate deliveries so as not to interfere or restrict parking on Allison Street.
- Offer an annual carsharing or an annual Capital Bikeshare membership for all new tenants for a period of 5 years.

Rear Lot Schematic

