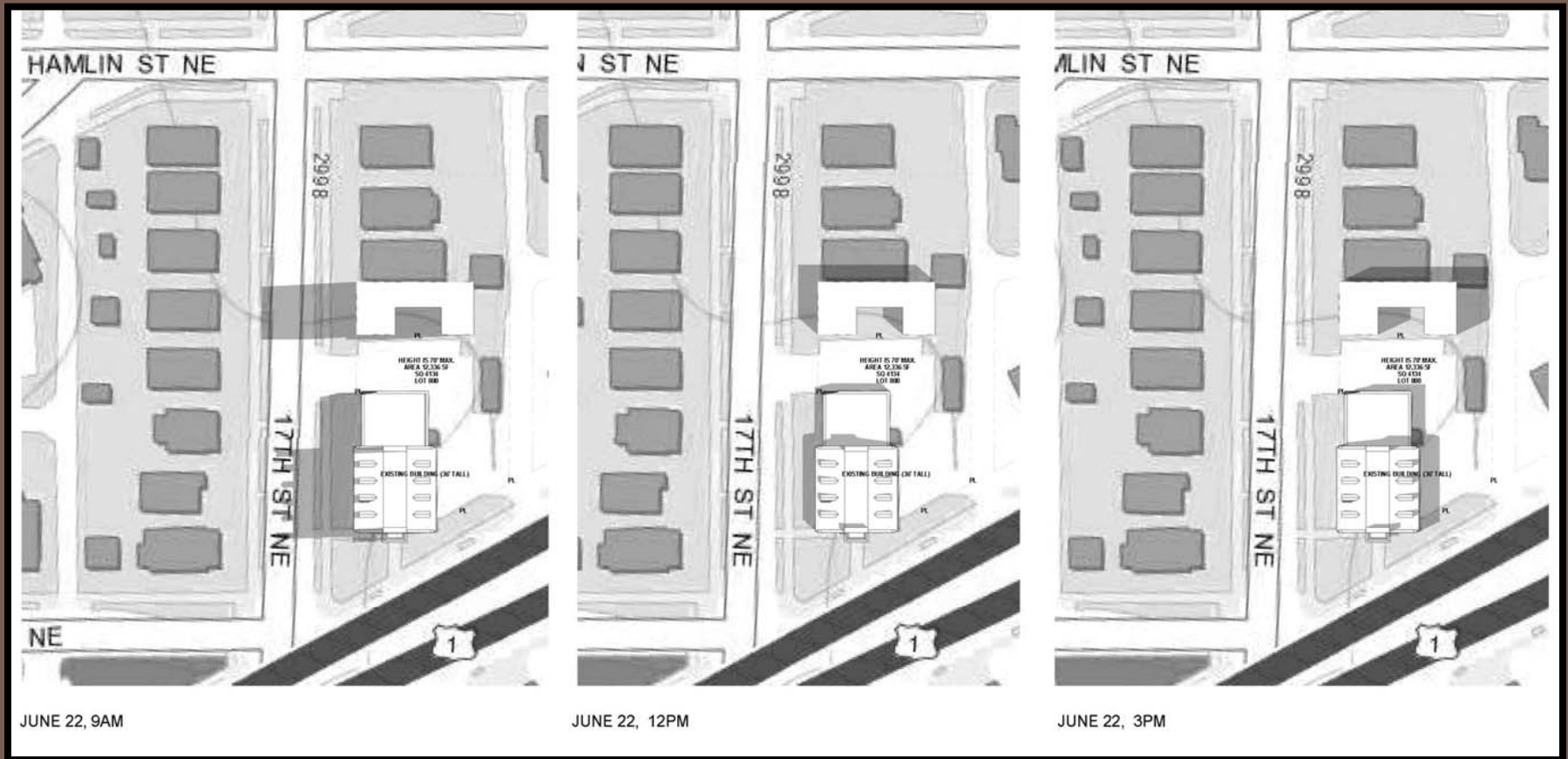
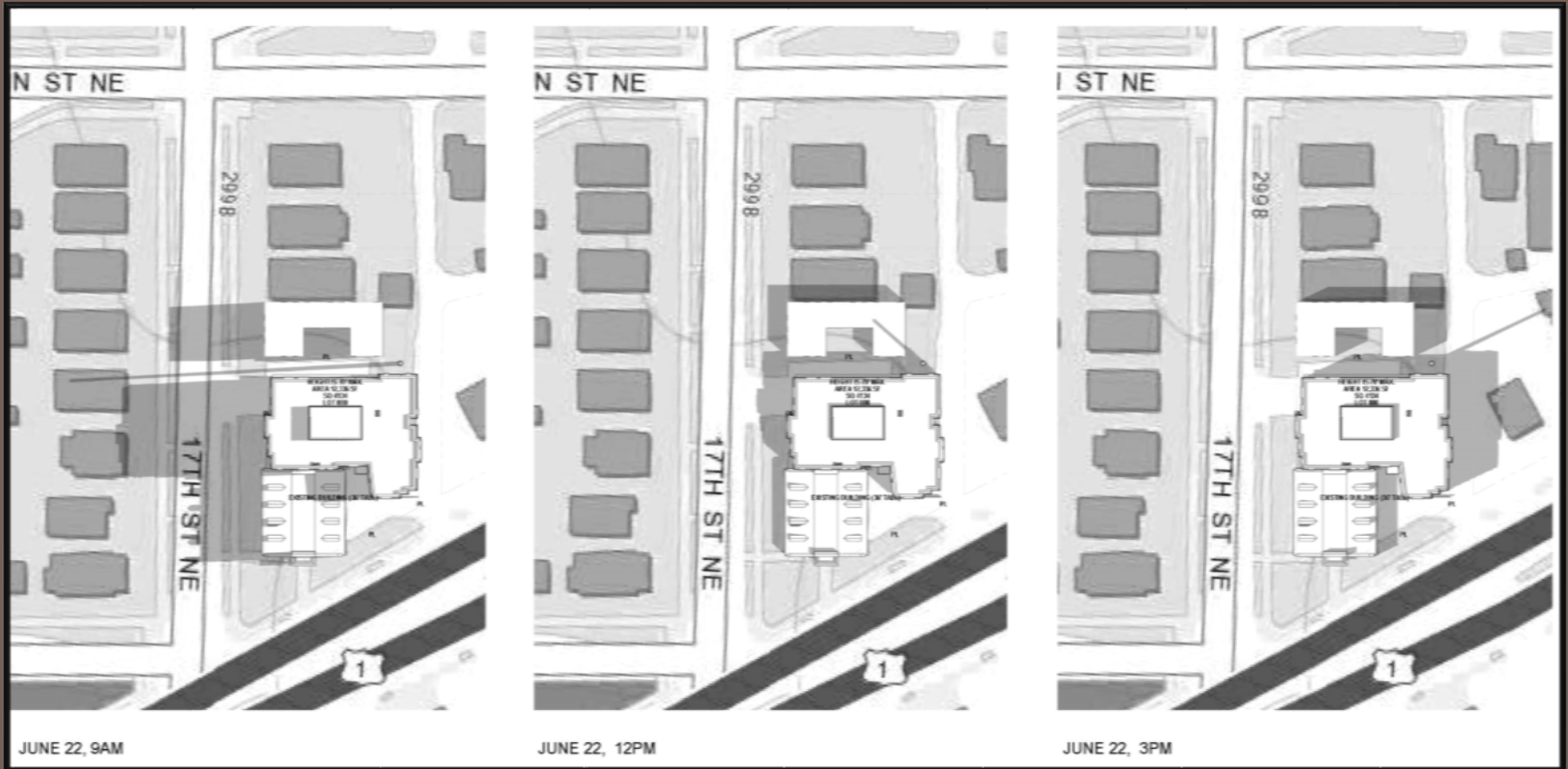


Landscape Fencing



Existing Building Sun Study: June 22

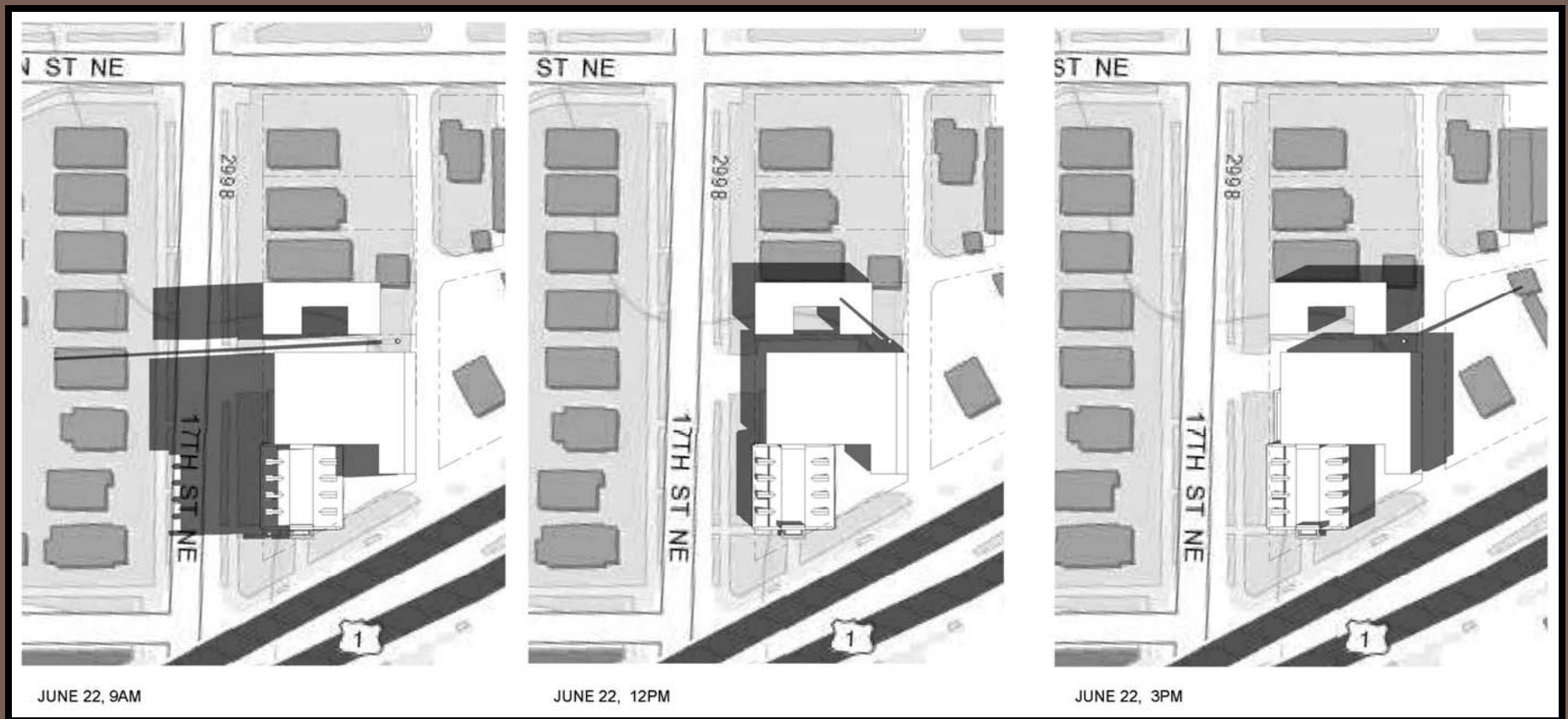


JUNE 22, 9AM

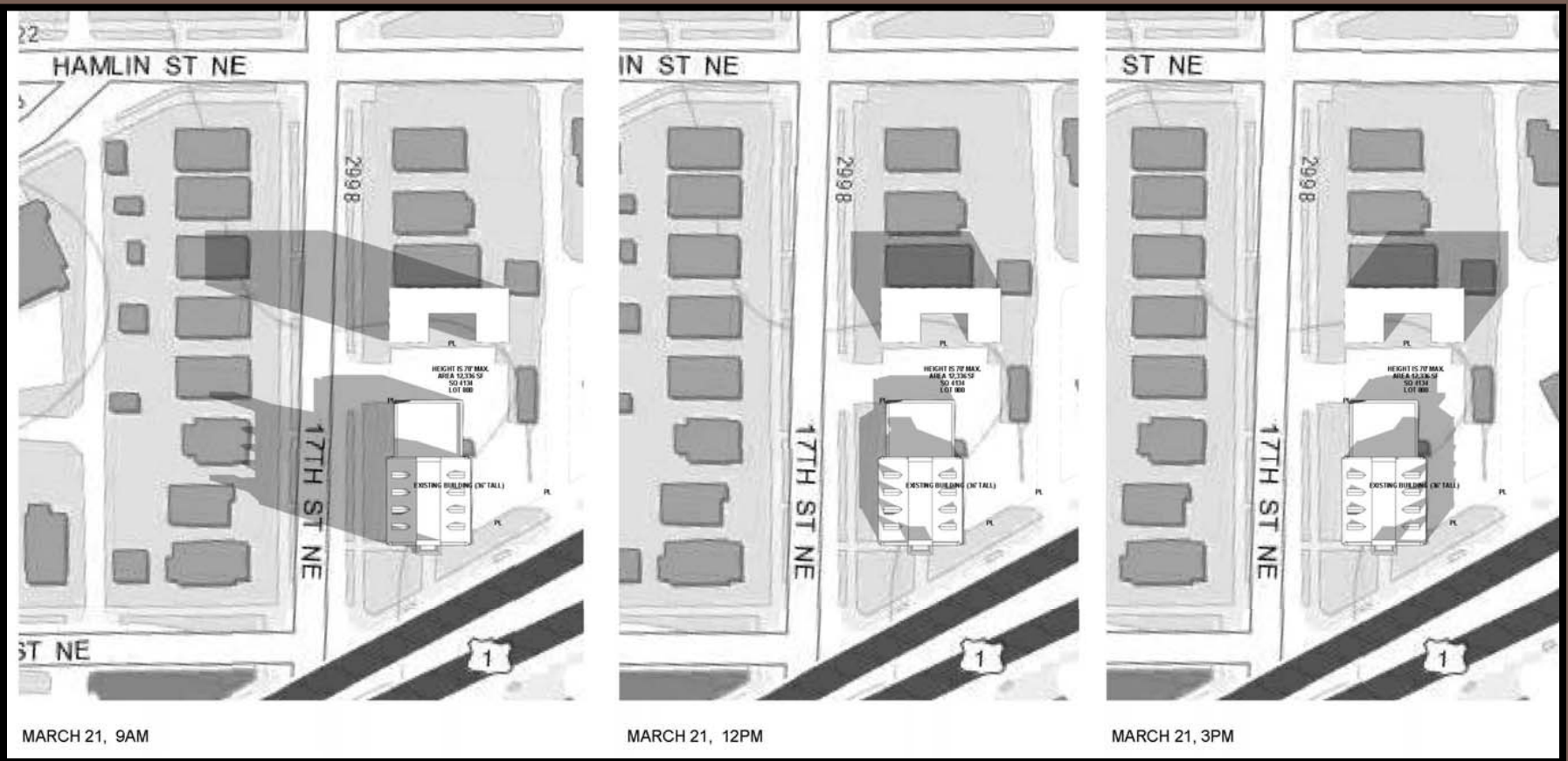
JUNE 22, 12PM

JUNE 22, 3PM

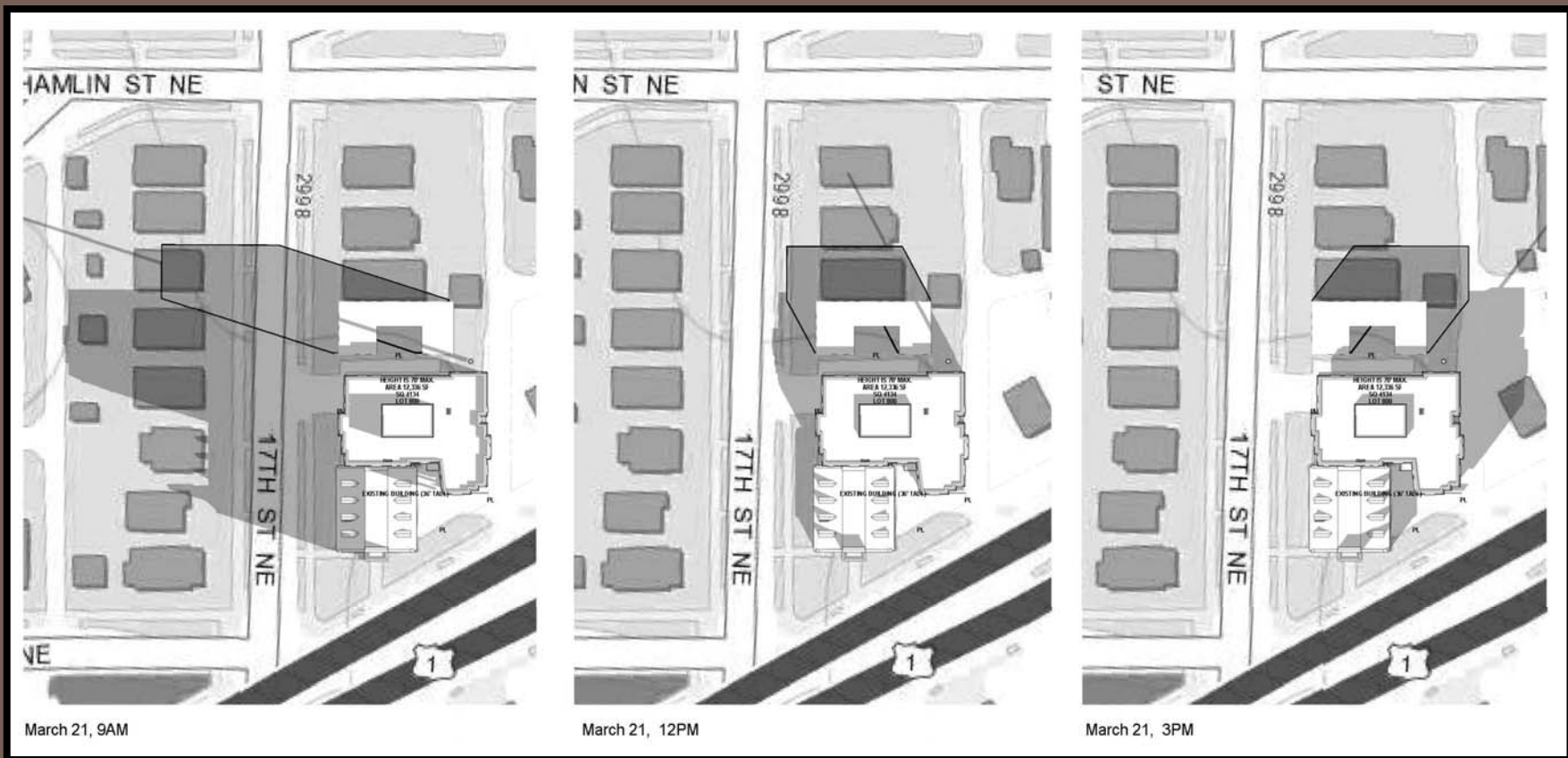
Proposed Building Sun Study: June 22



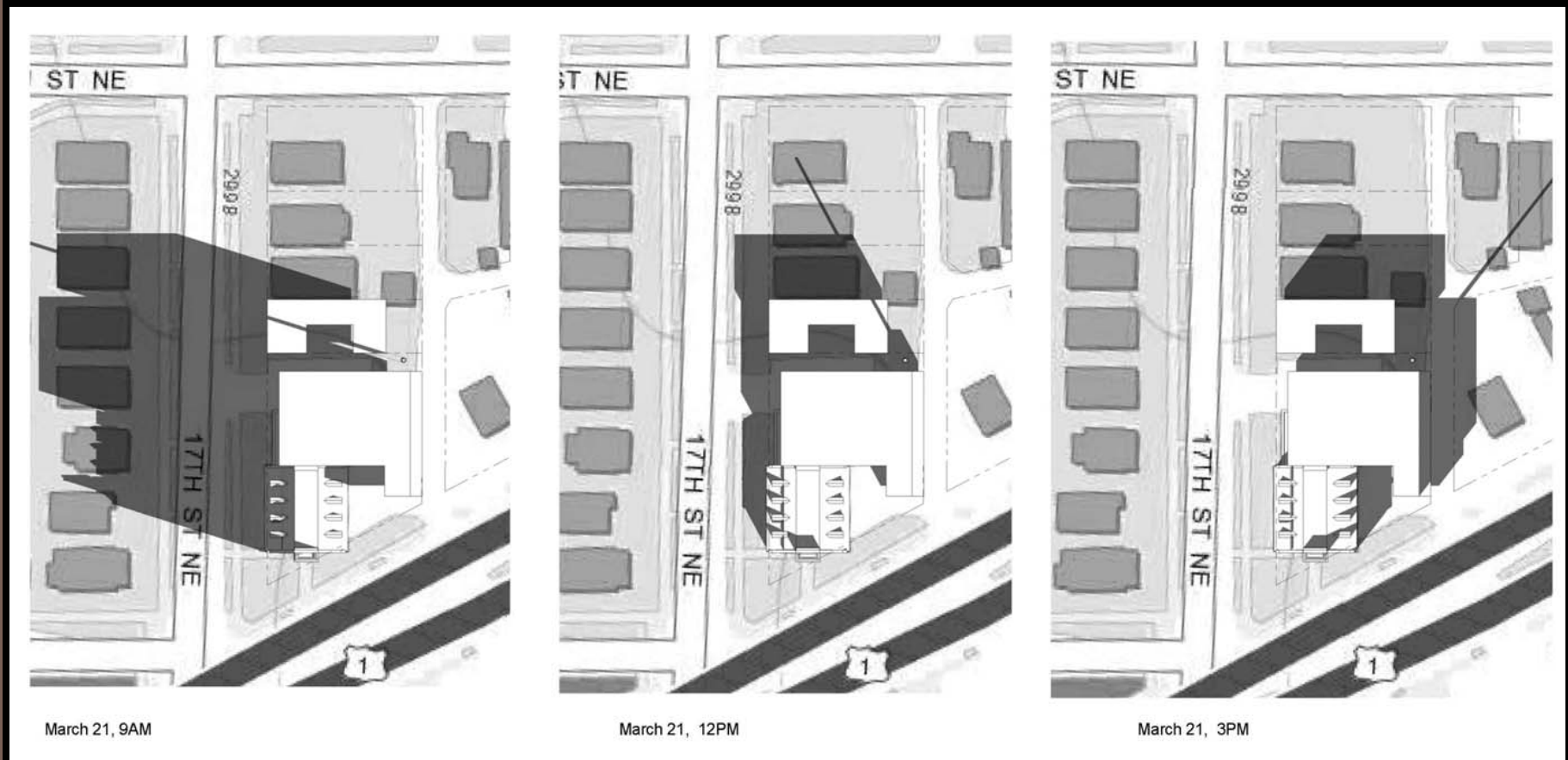
Matter of Right Sun Study: June 22



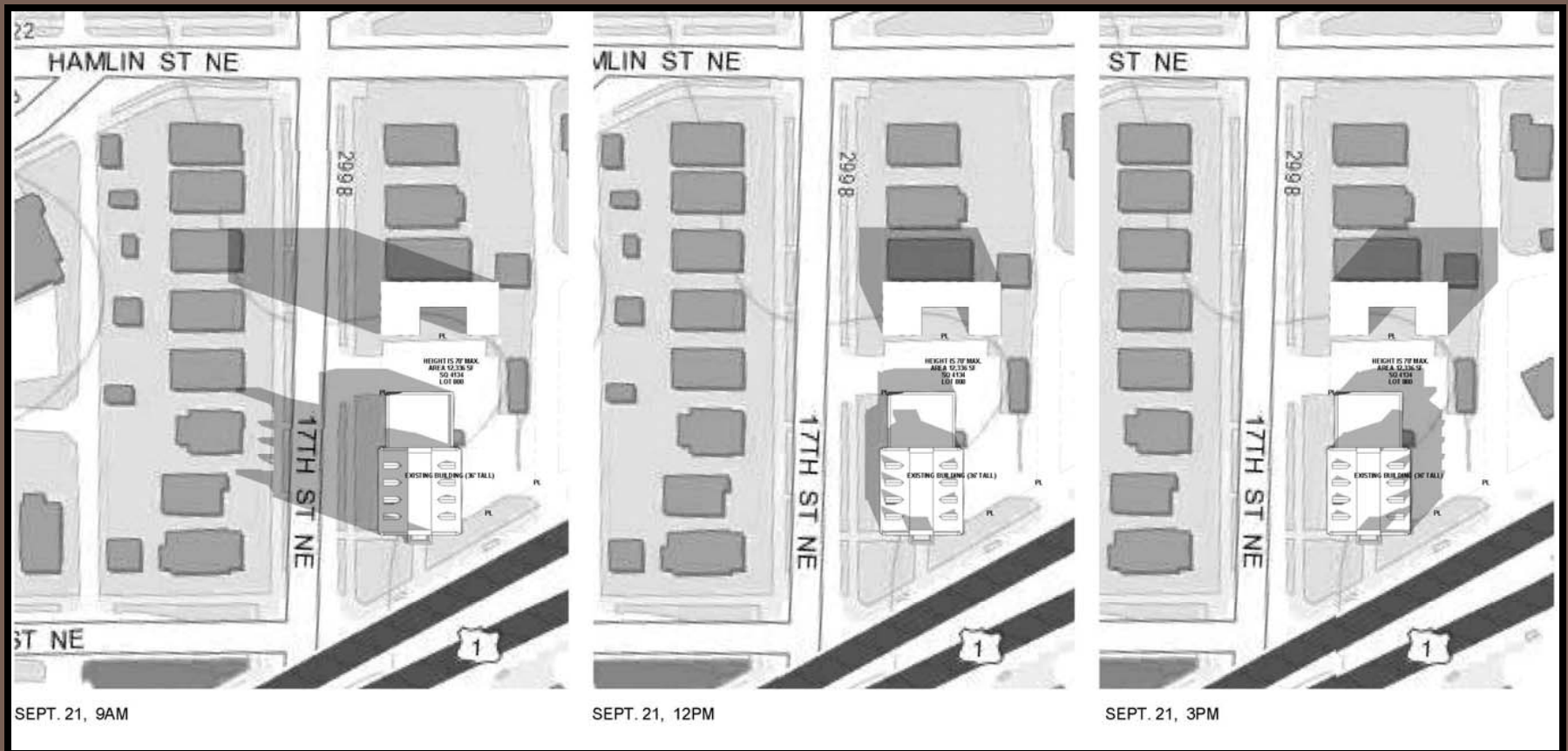
Existing Building Sun Study: March 21



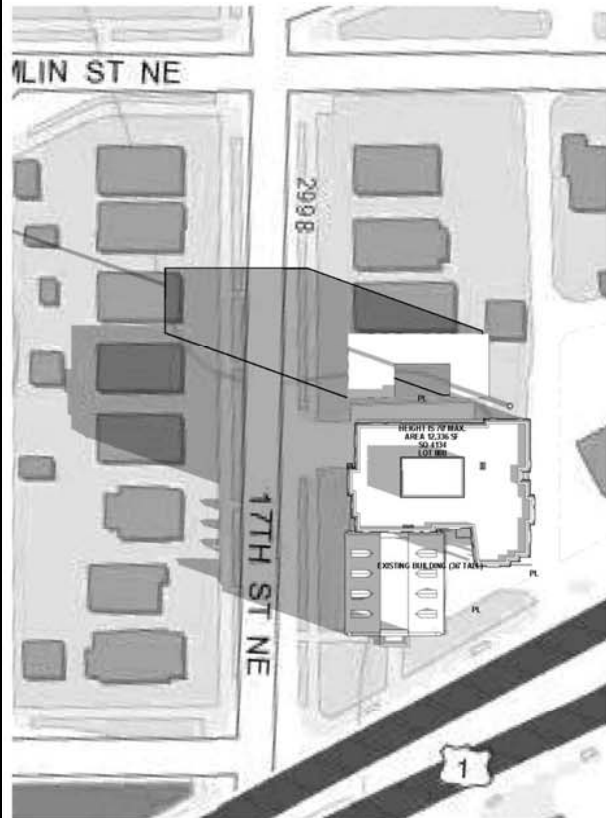
Proposed Building Sun Study: March 21



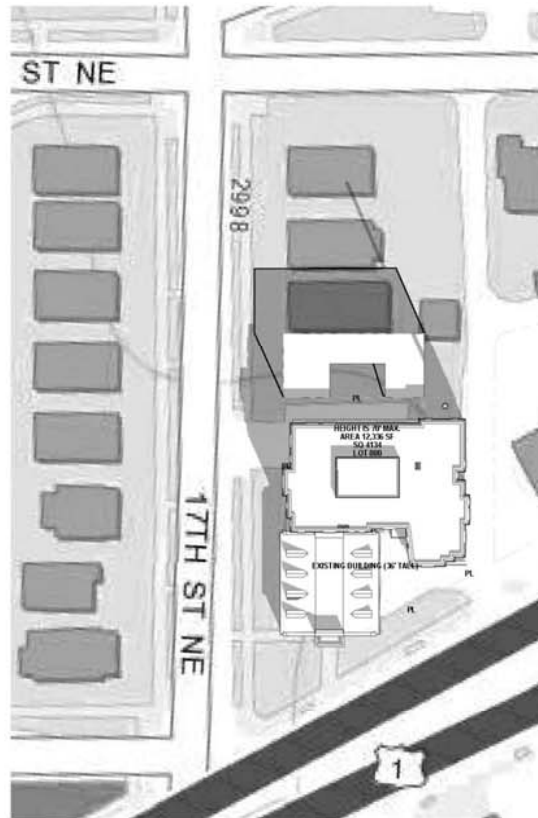
Matter of Right Sun Study: March 21



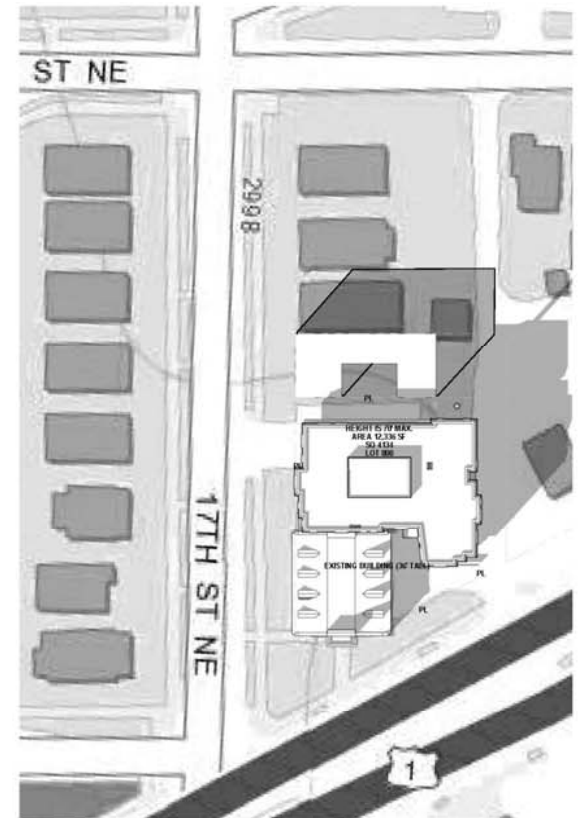
Existing Building Sun Study: September 21



SEPTEMBER 21, 9AM

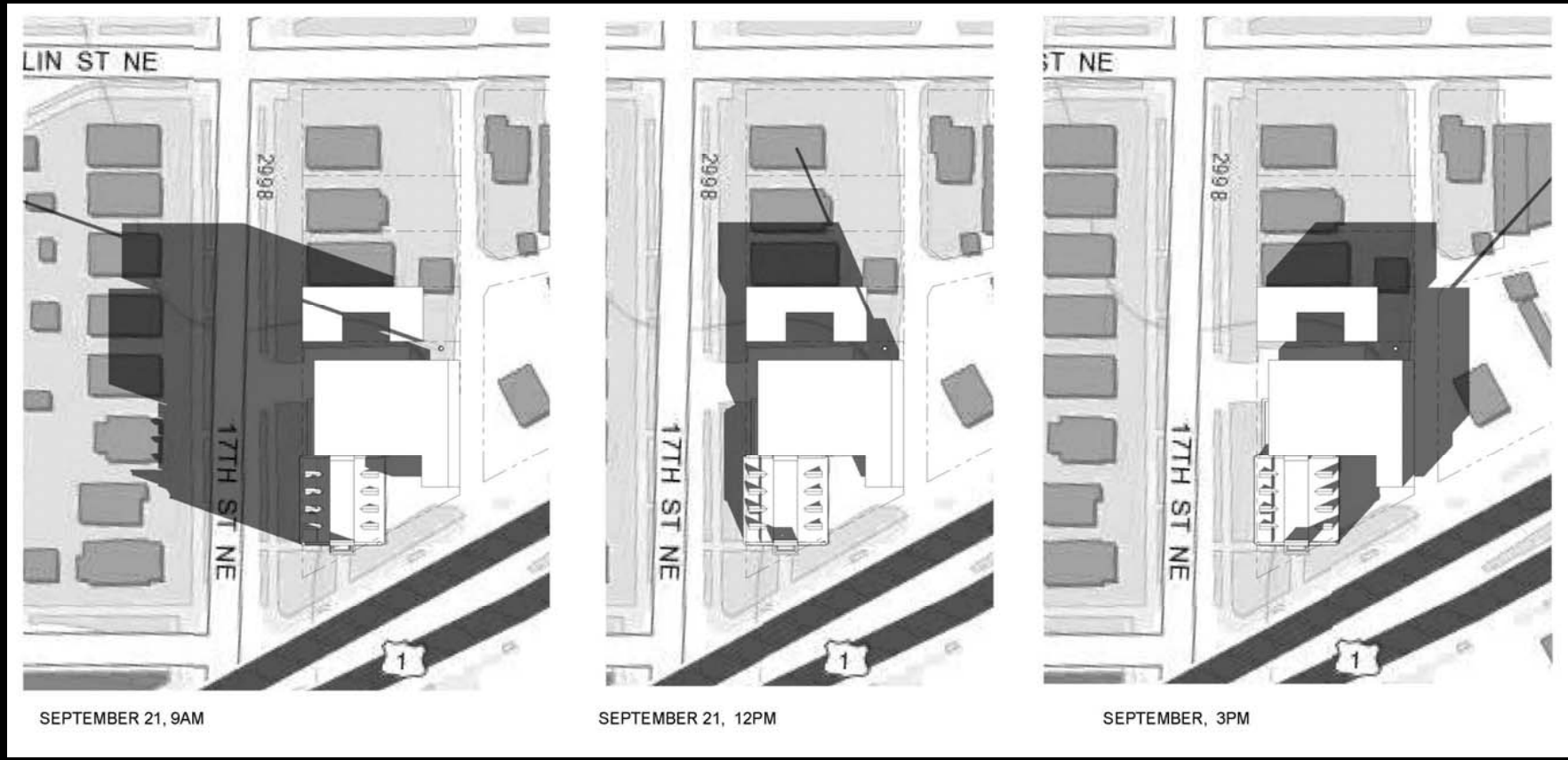


SEPTEMBER 21, 12PM

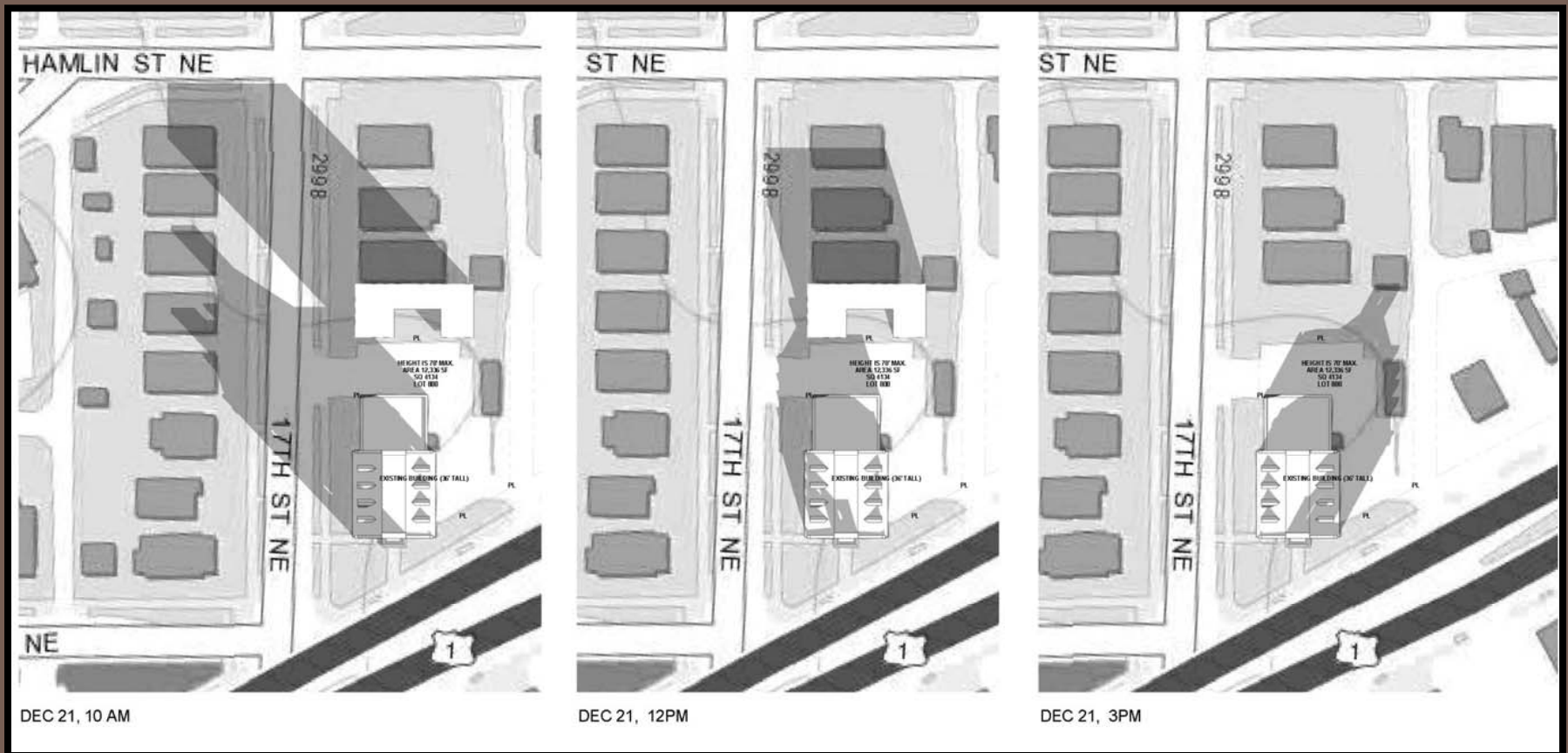


SEPTEMBER, 3PM

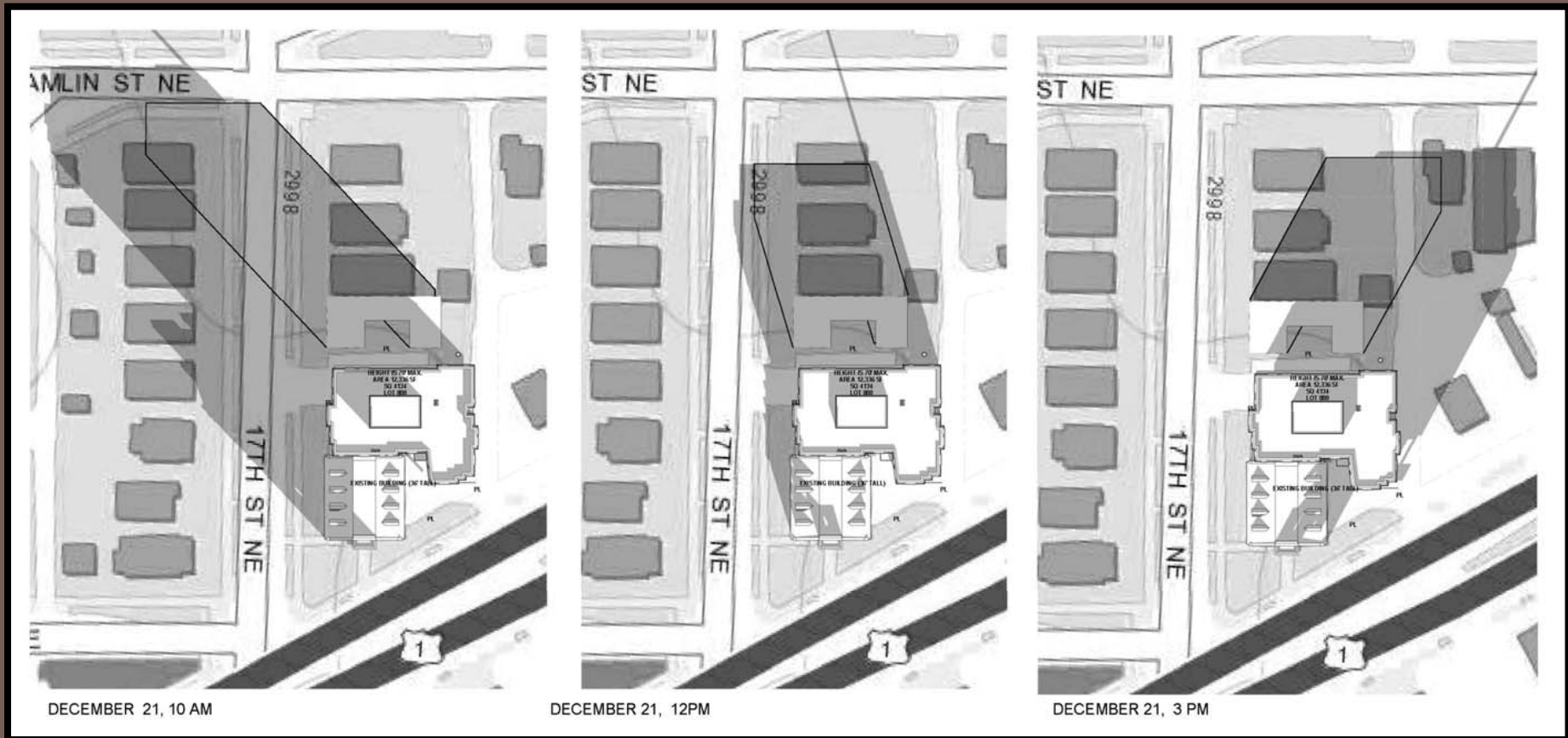
Proposed Building Sun Study: September 21



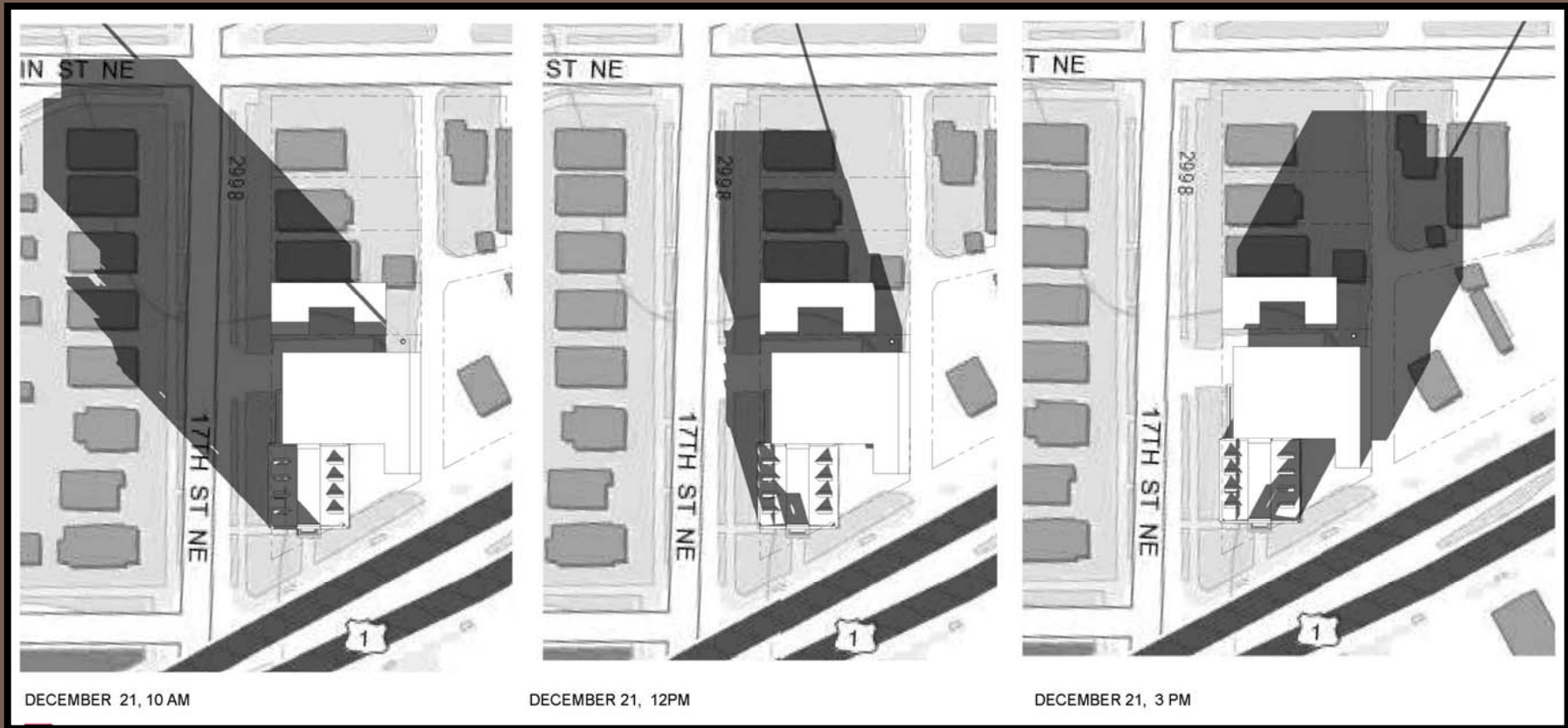
Matter of Right Sun Study: September 21



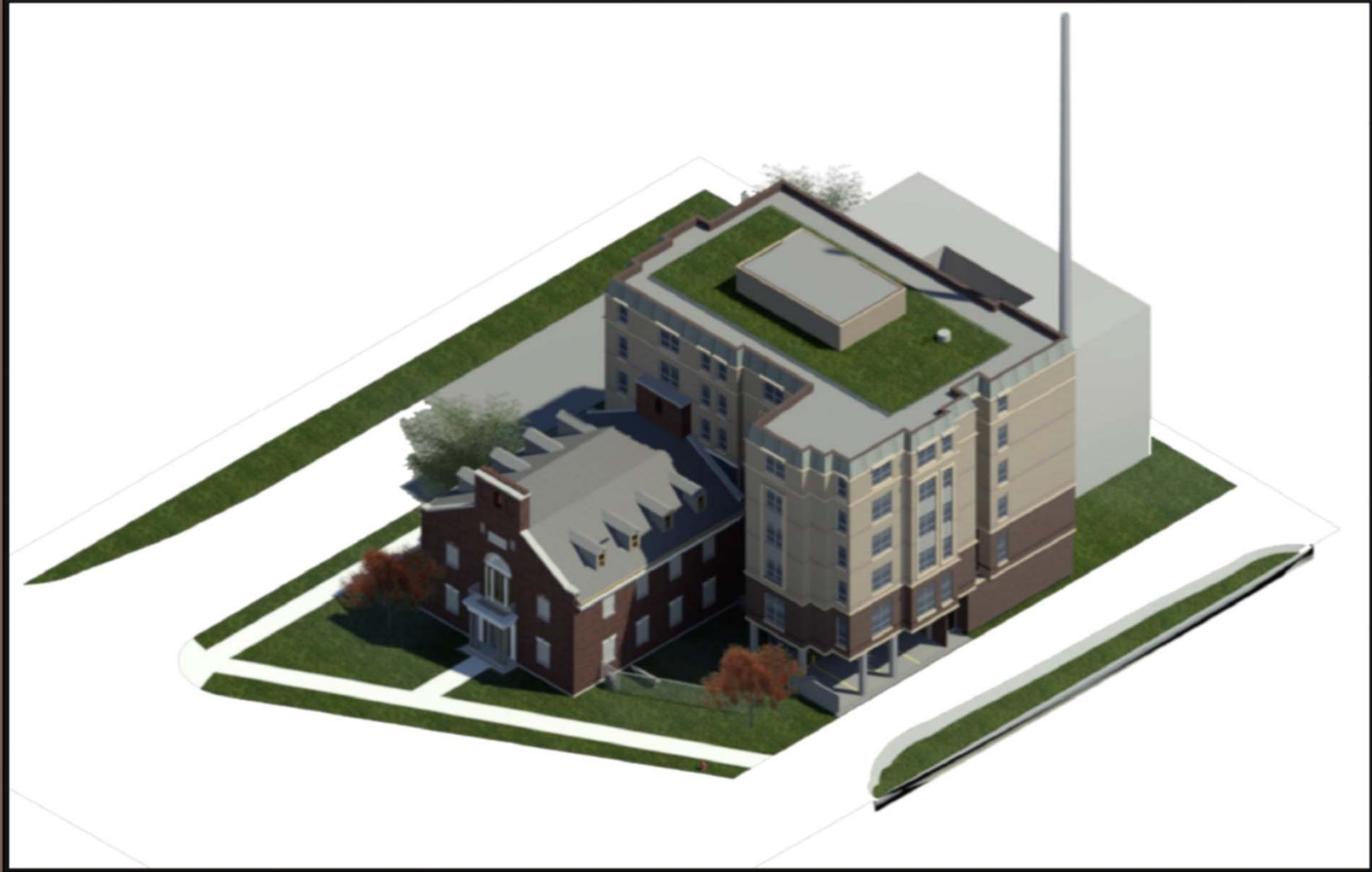
Existing Building Sun Study: December 21



Proposed Building Sun Study: December 21



Matter of Right Sun Study: December 21



Project Rendering



Homeward DC Initiative – Ward 5

Transportation Presentation



Grove/Slade Associates

Site Location

- Metrobus
 - Rhode Island Avenue
 - 82, 83, 86, T14, T18
 - 18th Street
 - E2
 - Franklin Street
 - B8, B9, H6
- Metrorail
 - Rhode Island Avenue Station
 - Red Line
- Carsharing – 7 vehicles nearby
- Capital Bikeshare
 - Nearest – Rhode Island Ave/18th St



Transportation Statement

- 46 family rooms
 - Low vehicle ownership amongst residents of facility
 - DHS policy does not provide parking for residents of any shelter
- Staffing
 - Minimum 10 staff
 - Maximum 22-26 staff at peak
 - A majority of staff will drive
- Minimal transportation impacts to network
- DDOT Coordination
 - Scoping interaction
 - No objection
 - No conditions



Vehicular Parking

- Vehicular parking
 - 3 parking spaces provided on-site
 - 1 parking spot designated for loading and deliveries
- On-street parking
 - Survey shows 377 spaces within 600-800 feet of site
 - Mostly unrestricted parking
 - Ample available parking



Transportation Demand Management and Bicycle Parking

- TDM Coordinator
- Marketing Program
- Four (4) short-term bike spaces
- Four (4) long-term bike spaces
- Transit subsidies for residents
- DC One card for students



Loading

- Food/supplies deliveries and trash pick-up in public alley abutting site
 - Food deliveries twice daily will be accommodated in a 19-foot delivery space accessed from the alley
 - Other loading activities in no parking zone on 17th Street in front on site where a curb cut currently exists
 - No furniture move-ins
- Trash removal from alley
 - Three times per week
- Loading Management Plan
 - Loading coordinator
 - Deliveries scheduled
 - Deliveries limited to daytime hours of operation
 - Follow District requirements



Relief Needed



- Variance
 - Height (§G-403.1)
 - FAR (§G-402.1)
 - Loading (§C-901.1)
- Special Exception
 - Emergency Shelter Use in MU-4 Zone (§U-513.1(b))
 - Parking (§C-701.5)
 - Lot Occupancy (§G-404.1)
 - Court Width (§G-202.1)
 - Rear Yard (§G-405.5(a))

Public Service Standard – Case Law

- When the Applicant is a public service, as in this case, the board may apply a more flexible standard when applying the variance test.
- Court of Appeals cases
 - ▣ *Nat'l Black Child Dev. Inst. v. BZA*, 482 A.2d 687
 - ▣ *Monaco v. BZA*, 407 A.2d 1091
 - ▣ *Draude v. BZA*, 527 A.2d 1242
- BZA cases applying public service standard:
 - ▣ 18240, 17973, 18272

Public Service Standard – Case Law

- The “public need for the use is an important factor in granting or denying a variance and the apparently objective standards of the enabling acts are applied differently to the several kinds of uses.”
 - ▣ *Monaco v. BZA*, 407 A.2d 1091
- “Characterization of a use as a public service, and its need for expanded facilities, may be significant in determining whether the requisite ‘exceptional situation or condition’ exists.”
 - ▣ BZA Case 18240

Variance: 3-Prong Test



- Exceptional Condition
- Practical Difficulty
- No Substantial Detriment to the Public Good or Inconsistency with the Zoning Plan

Exceptional Situation or Condition

- Unique corner lot location;
- 20' sidewalk/ public-space area along Rhode Island Avenue & 24' sidewalk/public-space area along 17th Street;
- Former police station built in 1923 with taller floor to ceiling heights; HPO has directed that a significant portion will be retained;
- Existing 150' communications antenna and approx. 360 s.f. equipment building that cannot be removed; and
- Emergency shelter programmatic needs.

Practical Difficulty without Zoning Relief

- Corner lot with substantial public space/sidewalks along both street frontages
 - Limits building footprint
- Retention of Former Police building and communications antenna/ equipment building
 - Cannot build over the portion of the former police building or the antenna; pushes height and bulk to the addition
 - Heights of the Project must match the increased floor to floor heights of the former police building
 - Existing structures constitute approximately 1.0 FAR that cannot be reduced
- Programmatic Guidelines
 - Shall include approximately 50 units
 - Number of sleeping units on each floor is limited to 10
 - Must dedicate building space to on-site wrap around services

No substantial detriment to the public good or zone plan

- Applicant worked closely with HPO and CFA to retain a significant portion of the former police station
- The Project aligns with the stated goals of the Comprehensive Plan to create smaller emergency shelters
- Height and bulk of the Project is similar to other apartment houses along Rhode Island Avenue
- Will not cause substantially adverse impacts to light and air of adjacent uses
- Most of Project's height/bulk will be set back from 17th Street residences

Special Exception Standards

- Under 11 DCMR § X-901.2, the Board is authorized to approve an application where it finds the special exception:
 - Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
 - Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
 - Subject in specific cases to special conditions specified in the Zoning Regulations.
- The courts have found that special exception relief is presumed to be appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific requirements for the relief are met. See *First Baptist Church of Wash. v. District of Columbia Bd. of Zoning Adjustment*, 432 A.2d 695, 701 (D.C. 1981)(finding “[t]he Board’s discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulation.”)
- If an applicant meets its burden, the Board must ordinarily grant the application. *Id.*

Project Fits Zoning Definition of Emergency Shelter

Zoning Regulation Definition of Emergency Shelter:

Subtitle B – 100.2

Emergency Shelter: A **facility** providing **temporary** housing for one (1) or more individuals who are otherwise homeless as that arrangement is defined in the Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code §§ 4-751.01 et seq.) [the “**HSRA**”]; an emergency shelter use may also provide ancillary services such as counseling, vocational training, or similar social and career assistance.



HSRA Definition of Temporary Shelter:

HSRA DC Code 4-751.01 (40)(A-B)

(40) “Temporary shelter” means:

(A) A housing accommodation for individuals who are homeless that is open either 24 hours or at least 12 hours each day, other than a severe weather shelter or low barrier shelter, provided directly by, or through contract with or grant from, the District, for the purpose of providing shelter and supportive services; or

(B) A 24-hour apartment-style housing accommodation for individuals or families who are homeless, other than a severe weather shelter, provided directly by, or through contract with or grant from, the District, for the purpose of providing shelter and supportive services.



Project = Temporary Shelter (HSRA) = Emergency Shelter (Zoning Regulations) **67**

Harmonious with Purpose and Intent of Zoning Regulations/Map

- Aligns with stated goals of Comprehensive Plan's Housing Element
- Shelter is key part of Mayor's "Homeward D.C." initiative
- Helps achieve District's goal of making homelessness rare, brief, and non-recurring
- Lot occupancy, court and rear yard relief are all permitted as special exceptions, and all relief is necessary to further the goals of the Comprehensive Plan to create "neighborhood-based supportive housing and single room occupancy (SRO) units, rather than through institution-like facilities and large-scale emergency shelters"
- Additional density and lot occupancy would be permitted if the Project was built as an apartment house with Inclusionary Zoning units

No Adverse Effect on Neighbors

- Project is similar in size and density to nearby properties, including multi-family apartment buildings
- Front and side yards and public alley provide buffer from street and surrounding neighborhood
- The bulk of the additional height and massing will be on the east side. It will be separated from the residential properties along 17th Street by the 90-foot right-of-way as well as 50 feet of existing structure (approximately 140 feet of total distance)
- Rhode Island Avenue is 130-foot street that can accommodate the proposed height and bulk
- Ample on-street parking is available for staff, and there will be negligible need for resident parking

BZA Application:
1700 Rhode Island Ave. NE
BZA Case No. 19452

Presented by:
Meridith H. Moldenhauer
Griffin, Murphy,
Moldenhauer & Wiggins, LLP

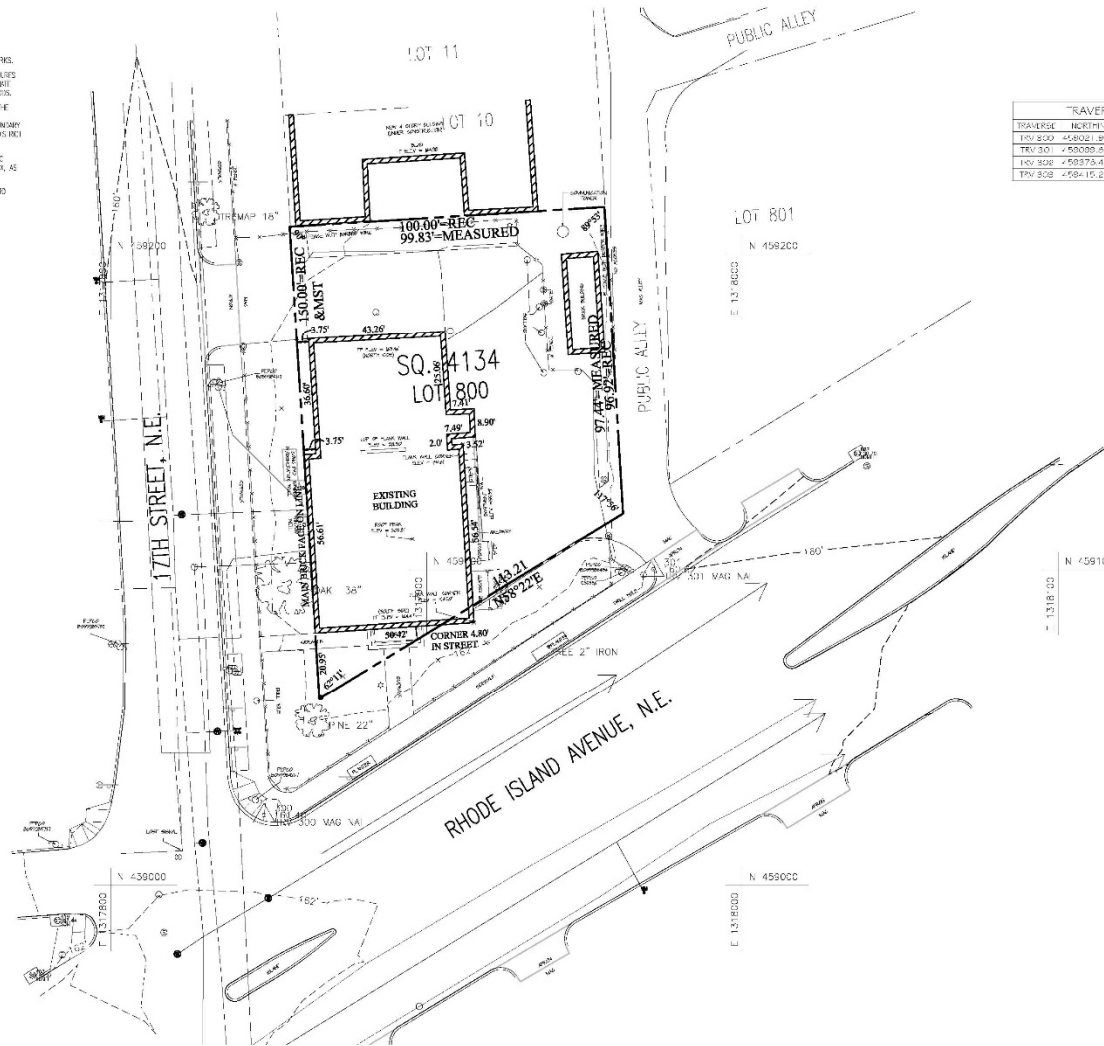




Police Station 12 Under Construction (c. 1923)

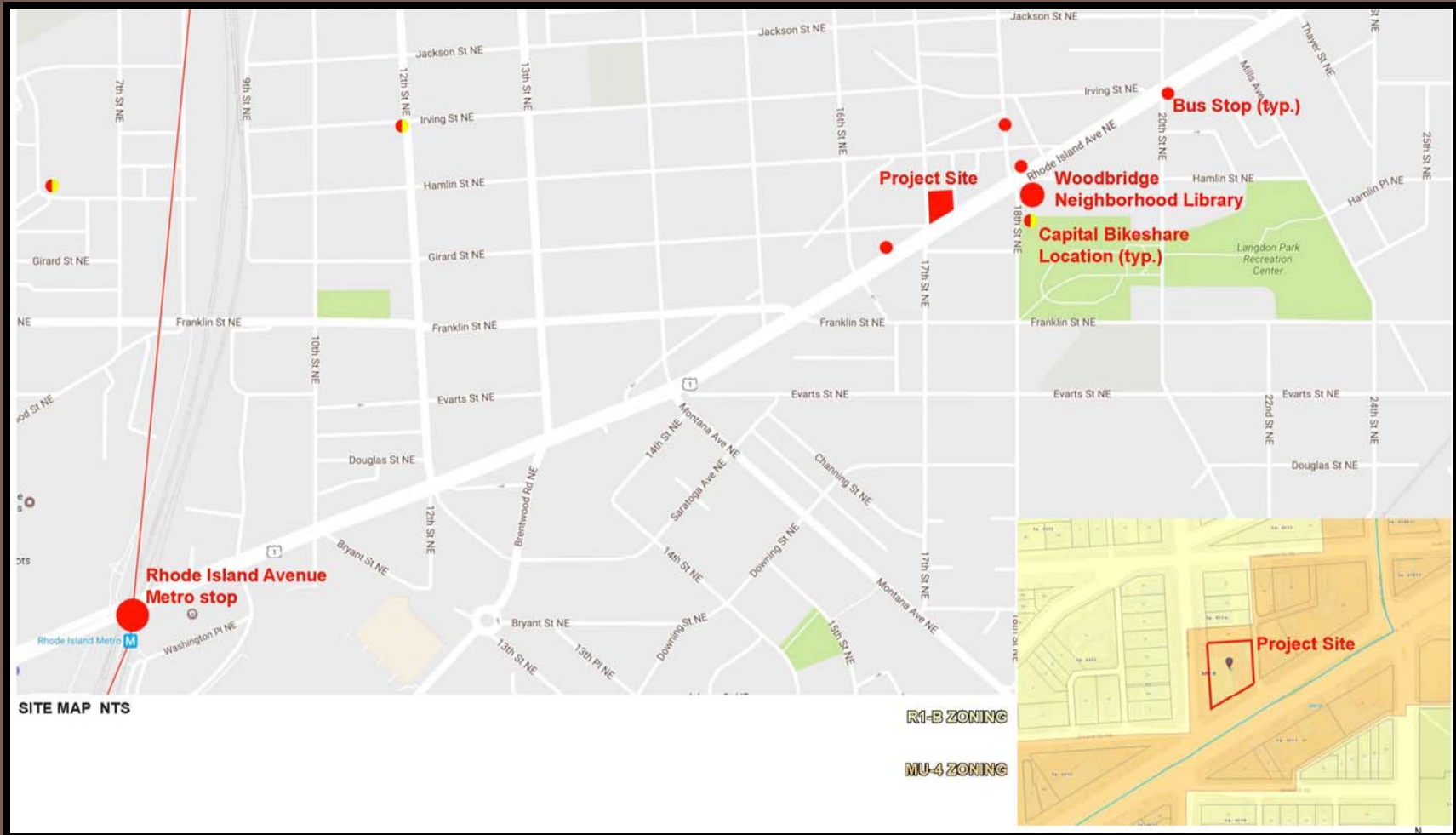
NOTES:

1. HORIZONTAL CONTROL IS THE MARY AND EMER TRAVEL COORDINATE SYSTEM (MAG 80) FROM SHEET 27 BY 205.
2. THE VERTICAL DATUM IS THAT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF PUBLIC WORKS.
3. UNDEVELOPED LOTS 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.
4. THE BOUNDARY INFORMATION SHOWN HEREON WAS OBTAINED FROM RECORDS MAINTAINED BY THE OFFICE OF THE DISTRICT OF COLUMBIA AND VERIFIED IN THE FIELD BY MEANS OF A TOTAL STATION. THE BOUNDARY INFORMATION IS SHOWN AS MEASURED AND NOT RECORDED. THE ACTUAL MEASURED BOUNDARY INFORMATION IS SHOWN AS MEASURED AND NOT RECORDED. THE ACTUAL MEASURED BOUNDARY INFORMATION IS SHOWN AS MEASURED AND NOT RECORDED.
5. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP WASHINGTON DC COMMUNITY NUMBER 110001 DATED 11/11/00, EFFECTIVE SEPTEMBER 21, 2000, THIS PROPERTY IS IN SPECIAL FLOOD HAZARD AREA AS THE SHORE IS SHOWN AND DEPICTED THEREON AS AREA OF MINOR FLOOD HAZARD.
6. NO TITLE REPORT HAS BEEN FURNISHED TO THE SURVEYOR AND THIS PLAN DOES NOT, THEREFORE, ATTEMPT TO PRESENT A COMPREHENSIVE RECORD OF THE ENCUMBRANCES OR APPOINTMENTS CURRENTLY IN EFFECT ON THIS PROPERTY.
7. LOCAL LEVEL = TWO FEET.



"TRAVERSE" CONTROL TABLE DATA				
TRAVERSE	BERTHOUD	EASTING	ELEVATION	DESCRIPTION
TRV 800	456921.8500	1317971.8500	150.00	MAG NAL
TRV 801	456920.8500	1317971.8500	150.00	MAG NAL
TRV 802	456920.8500	1317971.8500	150.00	MAG NAL
TRV 803	456920.8500	1317971.8500	150.00	MAG NAL

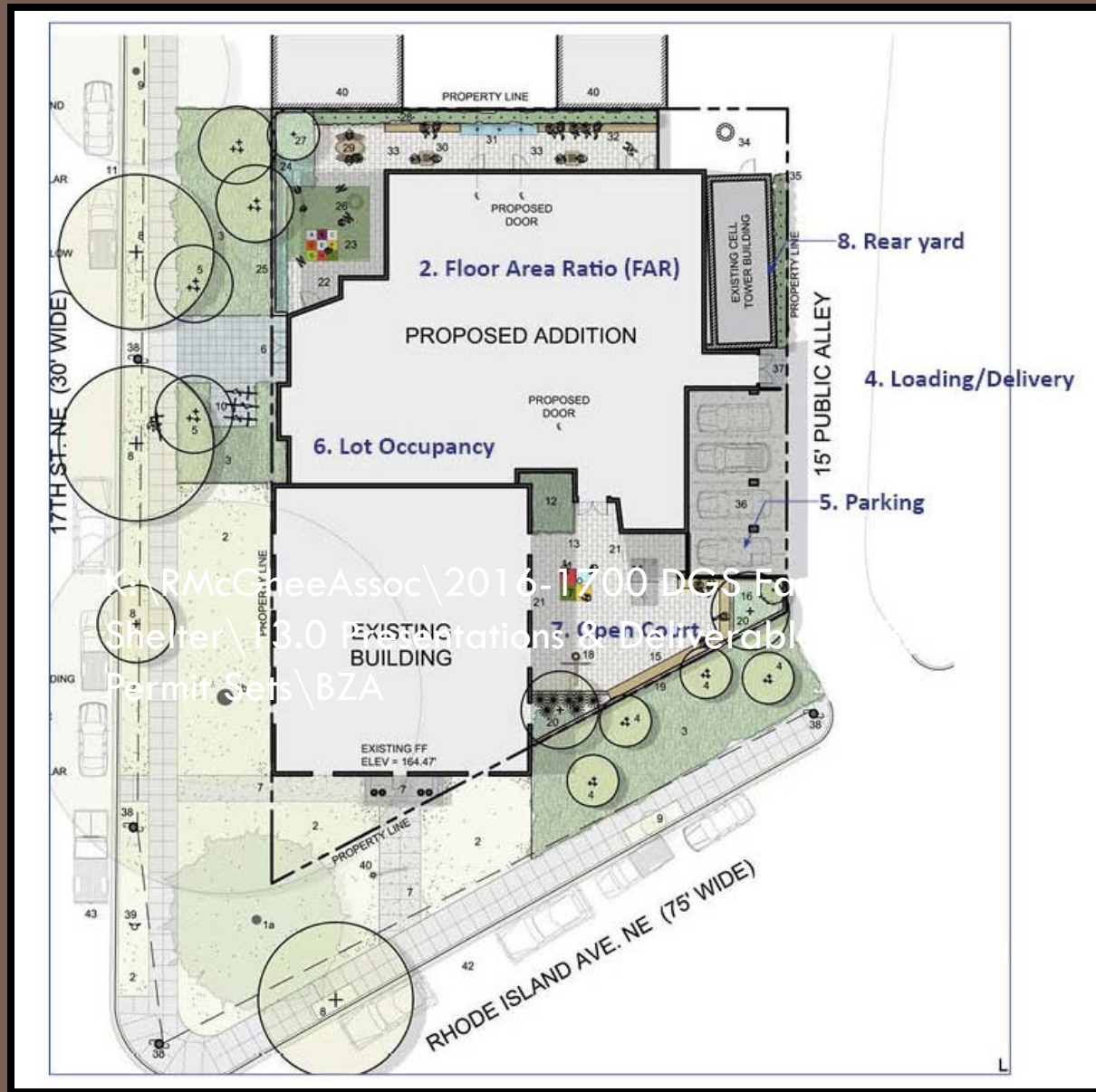
Boundary Plan



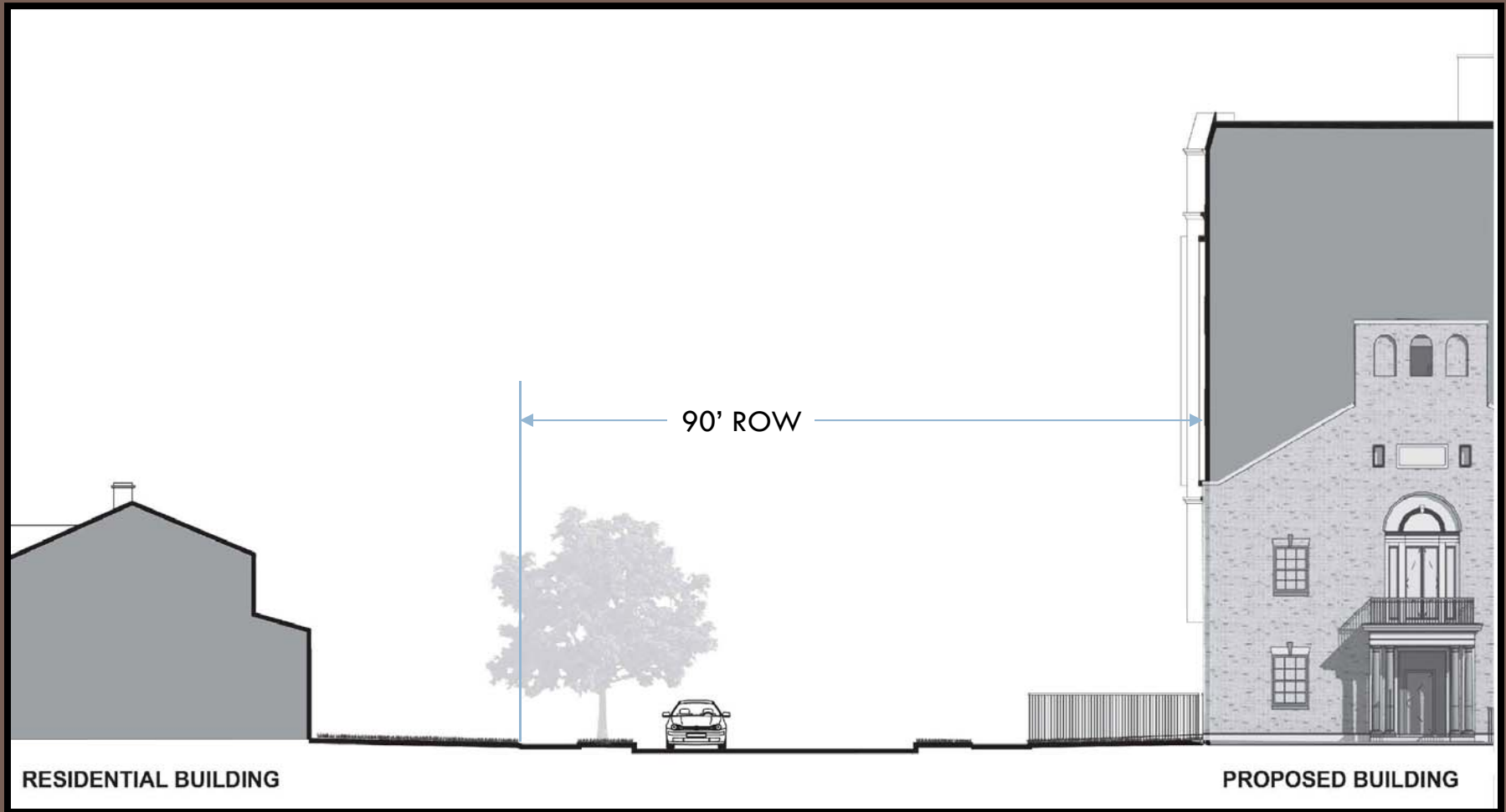
Zoning Diagram



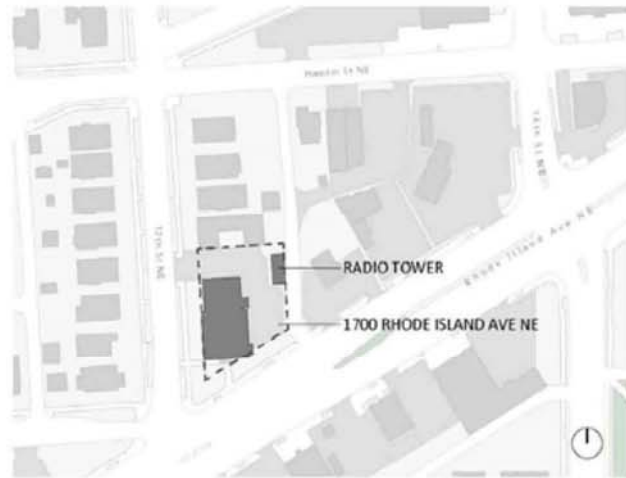
Zoning Relief Requested



Zoning Relief Requested



17th Street Perspective



BUILDING LOCATION PLAN

Area Schedule (Gross Building Area)			
Level	Existing Bldg. Area (GFA)	Addition Area (GFA)	
0 Basement (Cellar)*	2,837	1391	
SUBTOTAL	2,837	1391	4,228
1 First Floor**	2,902	4,636	7,537
2 Second Floor	2,841	6,170	9,010
3 Third Floor	1,970	6,184	8,154
4 Fourth Floor	0	6,179	6,179
5 Fifth Floor	0	6,179	6,179
6 Sixth Floor	0	6,178	6,178
GFA SUBTOTAL*	7,713	35,526	43,239
GRAND TOTAL	10,550	36,917	47,465

Notes:

* Not included in GFA (Cellar)

** Existing building garage to be demolish equals 1,650 sf. Total existing building includes stoop minus elements in public space equals 4,552 sf at first floor.

Total Existing Building SF $10,458 + 1,650 = 12,108$ sf
