

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of
Jubilee Housing

BZA Application No:
ANC: 1C08

STATEMENT OF THE APPLICANT

I.

Nature of Application

This application is made by Jubilee Housing, Inc. (“**Jubilee**” or the “**Applicant**”) for special exception relief from the parking and lot occupancy requirements of the Zoning Regulations relating to the conversion of an existing commercial building and the construction of an addition to create a mixed-use building with affordable housing, an art center, and office uses (the “**Project**”). The Property is located at 1724 Kalorama Road, NW (Square 2567, Lot 90) (the “**Property**”). The application requests special exception relief pursuant to 11-C DCMR § 703.2 and 11-K DCMR § 716.1 for relief from the parking requirements and lot occupancy requirements, respectively, as set forth in the Zoning Regulations. The Project will conform to the Zoning Regulations in all other respects.

II.

Jurisdiction of the Board

The Board has jurisdiction to grant the relief requested pursuant to Subtitle X, §901.1 of the Zoning Regulations (11-X DCMR §901.1).

III.

Information Regarding the Property and Project

A. Description of the Property and Surrounding Area

The Property is located at 1724 Kalorama Road, NW in Adams Morgan. It is comprised of approximately 8,214 square feet of land area and is situated on the southern side of Kalorama Road, NW. A condominium building with ground-floor arts use (the Sitar Arts Center) is located

to the east and south and an alley is located to the west. Kalorama Road, NW is located to the north of the Property. A mixture of uses is located across Kalorama Road from the Property, including residential uses, a charter school, and commercial uses. The major corridors of 16th Street and 18th Street, NW are located two blocks in either direction from the Property.

The Property is improved with a three-story building that previously contained office uses, but is currently unoccupied. The Property is located in the RC-3 Zone District and is designated as appropriate for medium-density compact mixed-use development. Pedestrian access to the Property is from Kalorama Road, NW. The Property currently includes two curb cuts off of Kalorama Road. The alley is approximately 10 feet wide adjacent to the Property.

B. Description of the Project

The Applicant is adaptively re-using the existing building and constructing a one-story addition and a penthouse on the building. The Project includes ground floor use for the Sitar Arts Center (“Sitar”). Sitar is a community arts education and youth development center for children and teens from low-income households in Washington DC. Sitar has year-round programming for all ages, with a primary focus on the out-of-school hours after school and summer for our youngest residents from birth through age 24. Sitar is currently operating in the neighboring property at its full capacity and regularly has waiting lists. Therefore, the Project presents an opportunity for Sitar to expand its programming, especially workforce development for older youth, to the Property while still continuing its operations next door while utilizing much of the same staff.

The new penthouse is to be used as office space for Jubilee. Jubilee will continue operating other office components in the vicinity, but the Project presents an opportunity to consolidate some of its operations at this location.

Finally, the Project will include residential use on the second, third, and fourth floors, providing approximately 25 residential units. All of the units will be affordable, with two thirds of the units being affordable at 30% of the Washington, DC Median Family Income (“MFI”) and the remaining units serving residents at or below 60% MFI. The Project will also include family sized units which will be comprised of nine (9) three (3) bedroom units, eight (8) two (2) bedroom units, and nine (9) one (1) bedroom units. Therefore, the Project presents an exciting opportunity for Jubilee and Sitar to expand their services to the Adams Morgan community and the District overall.

IV.
Description of Relief Requested

A. Vehicular Parking Relief

Pursuant to 11-C DCMR § 703.2, the Board may grant a special exception for relief from the parking requirements of Section 701.5 of Subtitle C of the Zoning Regulations, subject to certain considerations. Based on the mix of uses at the Property, the Project would generate a parking requirement of twelve (12) spaces – four (4) spaces for Sitar, one (1) space for the Jubilee office space, and seven (7) spaces for the residential units. The Project is unable to accommodate any of these parking spaces, and therefore requests relief from the parking requirements of the Zoning Regulations.

B. Lot Occupancy Relief

In the RC-3 Zone District, residential uses are limited to a maximum of 80% lot occupancy, beginning on the first level of residential use (i.e., the second floor of the Project). The Project converts the existing commercial building to residential uses on its second and third floors. The existing second and third floors occupy 90% of the lot. As such, by virtue of conversion to residential use, the second and third floors of the Project will have non-conforming lot occupancies. The fourth floor addition will have a lot occupancy of 80% and therefore meet the

80% lot occupancy maximum. Therefore, the Applicant requests relief from the lot occupancy requirements of the Zoning Regulations for the Project's second and third floor, which the Board may grant as a special exception subject to certain conditions pursuant to 11-K DCMR Section 716.1.

V.

Satisfaction of Standards for Relief

A. **Relief from Vehicular Parking Space Requirements**

Under Subtitle X, Section 901.2, in order to obtain special exception relief, an applicant must show that the requested relief will be in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties. Additionally, for special exception relief from the parking requirements pursuant to Subtitle C, Section 703.2, the applicant must demonstrate compliance with certain conditions for relief. As discussed below, the Project meets the specific conditions of Subtitle C, Section 703.2 and the relief requested is in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties.

1. *Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces and all or a significant proportion of dwelling units are dedicated as affordable housing units.*

The Property is located in the Adams Morgan neighborhood which is served by significant public transportation. Further, Adams Morgan is a neighborhood where major retailers and services are within walking distance. The Property has a Walk Score of 98 (i.e. "Walker's Paradise") and a Bike Score of 89 (i.e., "Very Bikeable"). The near vicinity maintains similar Walk Scores above 95, demonstrating the ideal walkability of the neighborhood and lack of a need for cars. The Property is only two blocks from 18th Street, which carries major bus routes such as the 90, 96, and X3 lines that connect the upper northwest of the city to southeast, and many places

in between. Additionally, the Property is only three blocks from 16th Street, which is identified as a Priority Corridor Network Metrobus Route and carries the major S-line bus routes (S1, S2, S4, and S9) that connect Maryland and the northernmost portions of the city with downtown. Further, three blocks from the Property is Columbia Road, where the 42, 43, H1, and L2 bus routes connect the Property to downtown and Gallery Place. Therefore, the Property is exceptionally well-served by mass transit. As a result, the Property has a Transit Score of 79 (i.e., “Excellent Transit”). It is therefore anticipated that the majority of the employees and visitors to the Project’s non-residential uses (and the residents themselves) would walk, bike or use transit. Further, both Sitar and Jubilee are existing uses within this neighborhood. Both Sitar and Jubilee expect to retain or expand their current parking facilities, which provides parking to those few employees or visitors who do drive. Therefore, the non-residential uses will not need parking at the Property.

Further, all of the residential units at the Project will be affordable residential units. These homes are being provided by Jubilee Housing, and the units will be affordable at or below 30% and 60% of MFI. Statistically, those living in this level income housing are less likely to own a car. Jubilee acts as both owner and property manager for its neighborhood portfolio of ten (10) buildings, including approximately 300 units, and therefore has extensive knowledge of its residents’ auto ownership. Based on such household-by-household knowledge, Jubilee calculates that only 3% of its residents own cars. Therefore, the residential use at the Property will not likely generate a need for parking.

- 2. The requested reduction is consistent with the number of spaces the Applicant cannot physically provide onsite.*

The Applicant seeks special exception relief from the requirement to provide twelve (12) parking spaces on-site. The Project will provide no parking spaces. As seen in Exhibit J, no parking spaces are feasible on the site.

Essentially, the entirety of the ground floor space is necessary to make the Sitar expansion feasible. Further, access to the site via the existing curb cuts is inefficient and creates an unsafe pedestrian environment along Kalorama Road. Additionally, due to the lot's shape, access through the abutting narrow alley while adaptively reusing the existing Building would make the creation of legally compliant parking spaces almost impossible. While there are eleven (11) parking spaces currently at the Property, many of these are not legally compliant spaces. The use of all or a portion of these spaces in their current locations would render the first floor unusable for Sitar. In addition, it would disallow a more active, beneficial community use along the Kalorama Street frontage instead of maintaining a highly undesirable parking condition along such street-fronting façade.

The site is not large, only containing approximately 8,000 square feet. This Property is improved with a three-story Building that currently occupies 100% of the lot at the ground floor and covers the entire portion of the Property's frontage on Kalorama Road. There is already no area for parking either behind the existing rear wall of the Building or along the alley. Therefore, there is no area to provide parking spaces at the Project due to the physical constraints of the site.

Therefore, the requested reduction of the full parking required for the Project is consistent with the fact that the Applicant could not physically provide any compliant parking on-site.

3. *This request for relief will include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of BZA approval.*

The Applicant will file a transportation report by its transportation consultant, Wells and Associates, at least thirty days prior to the public hearing, as required by Subtitle Y, Section 300.14. The report will include a Transportation Demand Management plan ("**TDM Plan**") resulting from consultation with DDOT staff. Such TDM Plan will further enhance the use of mass transit, biking and walking options by residents, employees, and guests of the Project.

B. Relief from Lot Occupancy Requirement

Under Subtitle X, Section 901.2, in order to obtain special exception relief, an applicant must show that the requested relief will be in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties. Additionally, for special exception relief from the lot occupancy requirements pursuant to Subtitle K, Section 716.1, an applicant must demonstrate compliance with certain conditions for relief. As discussed below, the Project meets the specific conditions of Subtitle K, Section 716.1 and the relief requested is in harmony with the intent and purpose of the Zoning Regulations and Zoning Maps and will not adversely affect neighboring properties.

1. *The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the RC zone.*

The Project furthers the purposes of the Reed Cooke Zone Districts. The Project takes an inefficient and underutilized building and upgrades such structure into a vibrant arts, office, and residential space benefiting the community. The Project includes new affordable housing, includes local non-residential uses that serve the community, and adaptively reuses the existing structure to avoid altering the general aesthetic and characteristics of the neighborhood. Further, the building will be “right-sized” for its immediate location allowing the addition to the building to fit within its surrounding context from height, massing, lot occupancy and open space perspectives.

2. *Vehicular ingress and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition.*

The Project will not include vehicular parking, so there will be no negative impact on the pedestrian right of way. The Project actually improves existing conditions by closing the two curb cuts along Kalorama Road and creating a seamless pedestrian experience in front of the Property. Further, the Project will include a TDM Plan that will assist to minimize adverse impacts on the

surrounding area due to the Project. In fact, the ultimate effect of the Project will be that the pedestrian ways will be enhanced by the Project and potential vehicular / pedestrian conflicts will be reduced.

We note that the requested lot occupancy relief will not alter the vehicular ingress and egress nor create or exacerbate pedestrian / vehicular conflicts nor create any objectionable or dangerous traffic condition.

3. Adequate off-street parking shall be provided for employees and for trucks and other service vehicles.

As discussed above, the Applicant is requesting relief from the parking requirement for the Project, as the Project will not need on-site and off-street parking for its uses. To the extent the parking spaces are needed at all, employees of the Project will park their vehicles in facilities both Sitar and Jubilee already have and will continue to provide nearby. We note that the lot occupancy relief will not alter the off-street parking requirements or demand of the Project.

4. Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences.

Noise associated with the Project will not adversely affect the surrounding area or nearby residences. The uses at the Project are permitted as a matter of right. The majority of the Project will be occupied by residential uses. The Sitar use is consistent with the neighborhood and the existing zoning, as it is currently operating next door. Additionally, the office use is minor and this particular office user, Jubilee itself, is already located in the community and has not had any record of adversely affecting adjacent or nearby residences or creating problematic noises. Further, the use proposed by the Project is not inconsistent with the surrounding neighborhood. Therefore, there will not be noise associated with the Project that will adversely affect adjacent or nearby residences.

5. *No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted.*

There will be no outdoor storage, processing, fabricating, or repair at the Property as part of the Project.

6. *If located within a RC-3 zone, the use shall not be within twenty-five feet (25 ft.) of a residentially zoned property, unless separated there from by a street or alley.*

The Property is located in the RC-3 Zone District, but is separated from any residentially zoned property by a public alley or by more than twenty-five (25) feet.

- C. The requested relief is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not adversely affect or impact surrounding areas

This application balances the needs of community residents in need of affordable housing and Jubilee and Sitar with the needs of the neighborhood and the zoning requirements. The Project will allow Jubilee and Sitar to better serve the community and will include 25 new affordable residential units.

As mentioned above, the non-residential uses will be serviced by existing parking already existing nearby in the neighborhood. Further, both such uses will provide TDM Plans to further encourage non-automobile transportation modes. Based on information gathered from other Jubilee properties, less than 3% of Jubilee residents have cars. Perhaps more importantly, the immediate neighborhood is highly walkable and serviced by excellent public transit options. Therefore, we do not anticipate any adverse effect or impact of the requested parking relief.

The 90% lot occupancy condition currently exists for the Property's second and third floors. Therefore, the conversion of these floors to residential use will not negatively impact the neighborhood. We note that the new (fourth) floor being constructed on the Property will comply with the lot occupancy requirements. Therefore, we do not anticipate any adverse effect or impact of the requested lot occupancy relief.

In addition, we note that Jubilee and Sitar are longtime existing members of the local community and will continue their policies of being good neighbors in Adams Morgan. Jubilee and Sitar believe that their proposed structure and operations will dovetail well with this particular location and Project with this particular community fabric.

VI.
Conclusion

For all of the above reasons, the Applicant is entitled to the requested special exception relief requested in this case.

Respectfully submitted,



Jeff E. Utz



Meghan Hottel-Cox