

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Michael Jurkovic, AICP, Development Review Specialist
MBR
 Maxine Brown-Roberts, Associate Director Development Review

DATE: May 29, 2026

SUBJECT: BZA Case 21428, Request for area variance and special exception relief to permit a rear addition of a 12-story apartment building with penthouse at 1518 M Street NW.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variance relief pursuant to Subtitle X § 1002:

- Subtitle I § 205.5, Minimum Rear Yard (17.5 ft. minimum required; 28.3 ft. existing; 12 ft. proposed);

OP recommends **approval** of the following special exception relief pursuant to Subtitle X § 901.2:

- Subtitle C § 1504.1, Penthouse Setbacks (9 ft. minimum front, back, and side required; 0 ft. proposed) pursuant to Subtitle C § 1506.
- Subtitle C § 802.1, Bicycle Parking (9 long-term spaces required; 0 existing; 0 proposed) pursuant to Subtitle C § 807; and

Regarding the long-term bicycle parking, OP generally agrees that there would be some difficulty providing all the required long-term spaces. However, we encourage the applicant to revisit whether existing storage spaces at the basement level are adequate for partial or full retrofitting to provide some level of long-term bicycle parking. Even in the event that the residents are unlikely to have their own bikes, the Parish could alternatively use the space to store donated bicycles for the veterans' use. (Attachment 1)

II. LOCATION AND SITE DESCRIPTION

Address	1518 M Street, NW
Applicant	Cozen O'Connor on behalf of Metropolitan African Methodist Episcopal Church and the Daniel Alexander Payne Community Development Corporation
Legal Description	Square 197, Lot 86
Ward, ANC	Ward 2; ANC 2C
Zone	Downtown (D-6) zone.
Historic District	N/A

Lot Characteristics	Interior rectangular lot with an area of 1,2407 square feet (93.99 ft. x 132 ft.)
Existing Development	Metropolitan African Methodist Episcopal Church – Historic and landmarked.
Adjacent Properties	Large office buildings to the south, east, and west and a moderately sized mixed-use buildings to the north.
Surrounding Neighborhood Character	High Density Commercial Core
Proposed Development	Construction of a new 12-story addition with penthouse to the rear of an existing church totaling 28 units intended to supportive housing for veterans experiencing homelessness.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone- D-6	Regulation	Existing	Proposed ¹	Relief
Density I § 200	10 FAR, except 6.0 FAR over Historic Portions	2.41 FAR	3.82 FAR, no change to historic structures.	None Requested
Height I § 201 & 532	90 ft. max for historic structures; 110 ft. max. for 90 ft. ROW ¹	77 ft. and 8 stories	No change to historic; 109.9 ft. and 12 stories for new building	None Requested
Penthouse Height I § 532 & C § 1502	20 ft. max; 1 habitable story plus mezzanine & 1 mechanical story	None	9 ft. and 1 story	None Requested
Penthouse Front Setback C § 1504.1(a)	Distance equal to the height of the penthouse. (9 ft.)	N/A	No Setback	Relief Requested
Penthouse Rear Setback C § 1504.1(b)	Distance equal to the height of the penthouse. (9 ft.)	N/A	No Setback	Relief Requested
Penthouse Setbacks C § 1504.1(c)	Distance equal to the height of the penthouse. (9 ft.)	N/A	No Setback	Relief Requested

¹ Per the applicant.

Zone- D-6	Regulation	Existing	Proposed¹	Relief
Lot Occupancy I § 202	100%	57.25%	98.68%	None Requested
Rear Yard I § 205	2.5 in. per 1 ft. in height min. (17.5 ft. min)	28.3 ft.	12 ft.	Relief Requested
Vehicle Parking C § 701	N/A	0 space	0 spaces	None Requested
Bicycle Parking C § 801	1 Long-Term space per 3 units; (9 spaces) 1 Short-Term Space per 20 units (1 space)	3 Short-term spaces	No Change	Relief Requested
Loading C § 801	1 Loading & 1 Service/Delivery spaces for more than 50 Residential Units	N/A (Less than 50 units)	No Change	None Requested

IV. OFFICE OF PLANNING ANALYSIS

a. REAR YARD SETBACK - Area Variance Relief from Subtitle I § 205.5

Subtitle X Section 1000 VARIANCE GENERAL PROVISIONS

1000.1 With respect to variances, the Board of Zoning Adjustment has the power under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(3) (formerly codified at D.C. Official Code § 5-424(g)(3) (2012 Repl.)), "[w]here, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Official Code §§ 6-641.01 to 6-651.02 would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map."

Extraordinary or Exceptional Situation or Condition Resulting in Practical Difficulty

Extraordinary or Exceptional Situation or Condition

The applicant has presented several factors which contribute. Specifically, that the

form of the existing historic church constrains the development potential of the property, as there is an inability to remove or build vertical additions to that structure. As such, the historic landmark designation of the existing structure on the site presents an exceptional situation or condition of the property.

Resulting Practical Difficulty

Due to the inability to make an addition above the existing church or reduce its size, the granting of a variance from the required 17.5 feet minimum rear yard to 12 feet would allow the construction of the proposed 12-story structure. Per the applicant, failure to obtain the five foot requested relief would result in a redevelopment that would be reduced to potentially only 10-13 units, inefficient floorplates and a reduction in height. Additionally, it would eliminate the wrap-around services vital to serving those experiencing homelessness. Therefore, due to the historic nature of the property and the required preservation of its current form, which prevents the vertical improvement of most of the property, there does appear to be an extraordinary or exceptional situation or condition resulting in a practical difficulty in the construction of a 28-units of supportive housing within the development requirements of the zone.

No Substantial Detriment to the Public Good

The requested relief from the rear yard should not be detrimental to the public good as the rear of the building abuts a 28-foot public alley and the limited redevelopment would still allow access to adequate light or air to the adjacent properties. The applicant has provided a solar study (Exhibit #2A2, pgs. 6) showing the shadows cast from the proposed property and the adjacent buildings. As demonstrated, the addition should not have a significant impact on surrounding properties.

No Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations

The D-6 Zone is intended to permit high-density development and that among other goals imagines developments which protect historic buildings and provide housing, especially affordable housing. In conjunction with the rear public alley, the proposed addition should be sufficiently separated from the adjacent properties. The relief would not result in a building that would be of a bulk, height, or intensity of use unanticipated by the zone. Therefore, the requested rear yard relief to construct a new building to facilitate the development of 28 supportive units should not result in substantial impairment to the intent, purpose, and integrity of the zoning regulations.

b. PENTHOUSE SETBACK: Special Exception Relief from Subtitle C § 1504.1(a), (b), & (c)

Subtitle X Section 1506 RELIEF FROM PENTHOUSE OR ROOFTOP STRUCTURE REQUIREMENTS

1506.1 Relief from the requirements of Subtitle C §§ 1503 and 1504 may be granted as a special exception by the Board of Zoning Adjustment subject to:

(a) The special exception requirements of Subtitle X, Chapter 9;

Analysis provided below.

- (b) *The applicant's demonstration that reasonable effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and*

Per the applicant, without the requested relief, the penthouse would not be able to accommodate the atrium which is currently proposed to house supportive services for the residents experiencing homelessness. Penthouse floor plans overlaying with the by-right setback are shown at Exhibit #2A1, pg. 14.

- (c) *The applicant's demonstration of at least one (1) of the following:*

- (1) *The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;*

Per the applicant, due to the existing footprint of the historic building, adhering to the required 1:1 setback would result in a penthouse that would be unable to accommodate the additional enclosed habitable space needed for the facility's programming needs to adequately serve the vulnerable population which they wish to house.

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c. LONG-TERM BICYCLE PARKING: Special Exception Relief from Subtitle C § 802.1

Subtitle C Section 807 SPECIAL EXCEPTIONS FROM BICYCLE PARKING REQUIREMENTS

807.2 *The Board of Zoning Adjustment may grant full or partial relief from the minimum number or dimensions of long-term or short-term bicycle parking spaces required for a use or structure by this section, as a special exception under Subtitle X, Chapter 9, and subject to the limitations of Subtitle C § 807.3, and the applicant's demonstration to the Board's satisfaction of any of the following:*

- (a) *Due to the physical constraints of the property, the required bicycle parking spaces cannot be provided in compliance with the requirements of this section on the lot or, in the case of short-term bicycle parking spaces, on abutting public space;*

As shown at Exhibit 2A1, pg. C-7, the existing historic building takes up the majority of the lot with the remainder of the existing open space occupied by utility pads. The proposed addition which is just 16.5 feet in width with the basement and first-floor space proposed to be occupied by amenities, an elevator, stairwells, and kitchen facilities needed for daily operation to support the vulnerable population to be housed. As demonstrated by the applicant in the submitted floorplans, failure to receive this requested relief item is likely to result in the elimination or reduction of a proposed amenity or existing space needed for parish operations in order to meet the required location requirements of long-term bicycle parking.

- (b) *The use or structure will generate demand for less bicycle parking than the minimum bicycle parking standards require, as a result of:*
 - (1) *The nature of the use or structure;*
 - (2) *Land use or topographical characteristics of the neighborhood that minimize the need for required bicycle parking spaces; or*
 - (3) *A transportation demand management plan approved by District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval, that will result in demand for less short-term bicycle parking than the minimum bicycle parking standards require; or*
- (c) ***The nature or location of the Historic Resource precludes the provision of bicycle parking spaces in compliance with the requirements of this section; or providing the required bicycle parking in compliance with the requirements of this section would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the Historic Resource.***

As discussed above in item (a), providing the long-term bicycle parking as required in the basement or ground floors would require additional architectural and/or structural alterations to the historic structure do to the limited width available for the addition.

807.3 *Relief granted under Subtitle C § 807.2 from the number and dimensional bicycle parking requirements of this section shall be:*

- (a) *Proportionate to the reduction in bicycle parking demand demonstrated the applicant; and*

Per the applicant, as the proposed supportive housing will serve individuals experiencing homelessness, as such residents are unlikely to have their own bicycles. Therefore, the actual need for long-term bicycle parking is unlikely meet the level required by the Zoning Regulations.

- (b) *Limited to the amount of relief from the requirements that the applicant demonstrates is necessary and cannot reasonably be provided on the site as proposed to be developed in the application.*

As shown in the applicant's submitted floorplans, due to the limited land available, providing the required bicycle parking would result in the removal of either existing space dedicated to the parish's current operations and/or reduction of other amenities proposed which are of a higher necessity to adequately serve a vulnerable population on their journeys towards permanent housing.

Although OP generally agrees that there would be some difficulty providing all the required long-term spaces, we would encourage the applicant to revisit whether existing storage spaces at the basement level are adequate for partial or full retrofitting to provide some level of long-term bicycle parking. Even in the event that the residents are unlikely to have their own bikes, the Parish

could alternatively use the space to store donated bicycles for the veterans' use.
(Attachment 1)

d. Subtitle X Section 901 SPECIAL EXCEPTION REVIEW STANDARDS

901.2 *The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) *Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The proposed redevelopment of the site would be consistent with the intent and purpose of the D-6 zone in both intensity and use, especially in that it seeks to preserve the existing historic structure while providing 28 supportive housing units.

- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

As shown on Exhibit #2A2, pg. 5, the proposed penthouse should not be readily visible from M Street and the shadows cast should have little to no impact on the surrounding development, especially given the existing height and bulk of the buildings on the surrounding properties. Additionally, as the proposal is not market-rate housing and instead wishes to serve a population experiencing homelessness, the need for long-term bicycle parking is unlikely to rise to the level of need the Zoning Regulations intend to address, but there may be some need to be addressed., the requested areas of Special exception relief should not adversely affect neighboring properties any more than anticipated in a Downtown zone.

- (c) *Subject in specific cases to the special conditions specified in this title.*

As discussed above, the relief sought will meet all special exception criteria associated with the requested relief.

V. OTHER DISTRICT AGENCIES

As of the writing of this report, no other agencies have provided a report to the record.

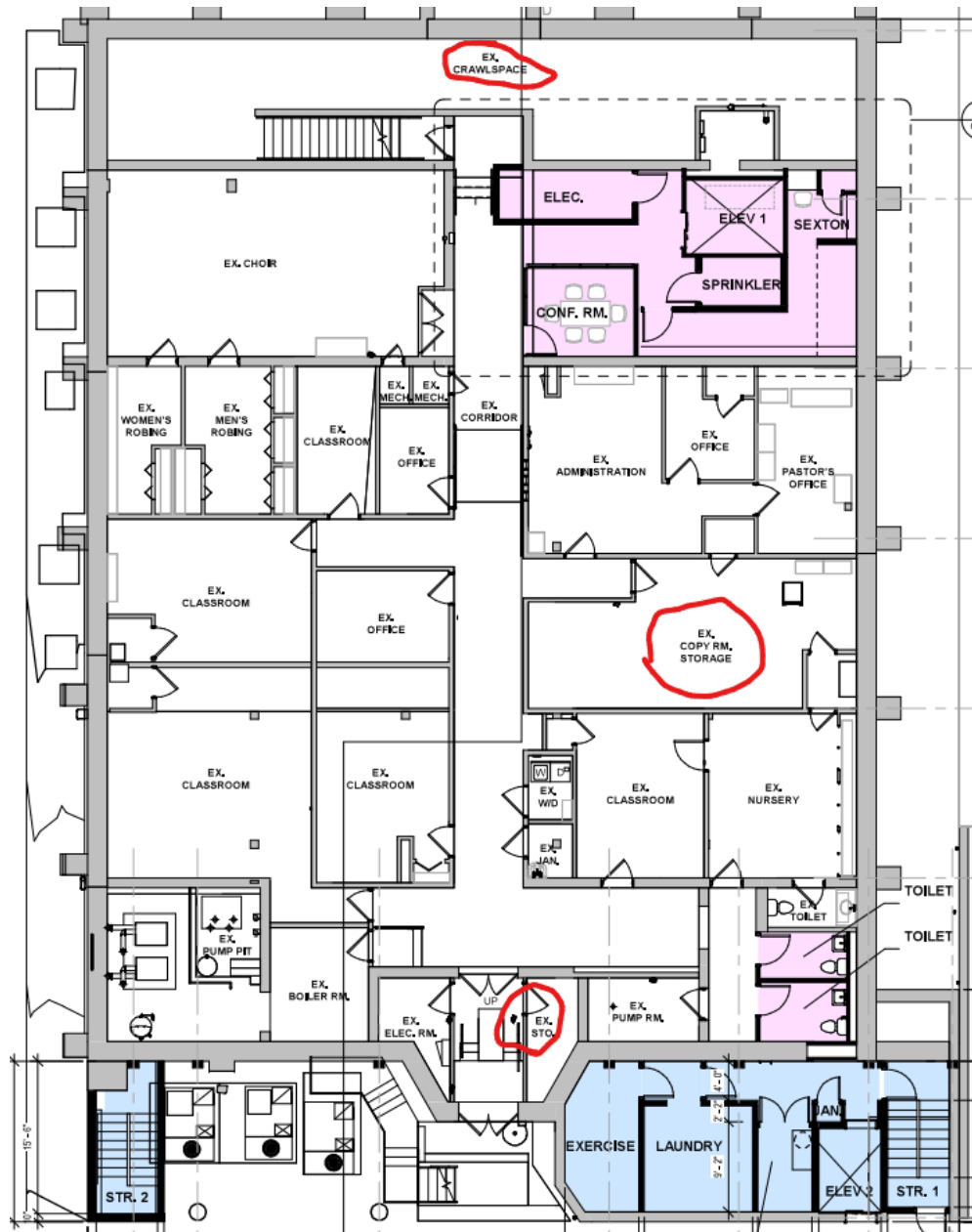
VI. ADVISORY NEIGHBORHOOD COMMISSION

At Exhibit # 17, ANC 2C has provided a report in support of the application.

VII. COMMUNITY COMMENTS TO DATE

As of the writing of this report, there are no other public comments in the record.

Attachment 1: Potential areas for Long Term Bicycle Parking



Attachment 2: Site Location

