

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

APPLICATION OF **ANC 2C02**
DANIEL ALEXANDER PAYNE COMMUNITY DEVELOPMENT CORPORATION

STATEMENT OF THE APPLICANTS

I. NATURE OF RELIEF SOUGHT

This statement is submitted on behalf of the Daniel Alexander Payne Community Development Corporation (the “Applicant”), the non-profit community development arm of Metropolitan AME Church (the “Church”). The Church is the owner of the property located at 1518 M Street NW (Square 0197, Lot 86) (the “Property”). As part of this application, the Applicant seeks area variance relief from the minimum rear yard requirements (Subtitle I § 205.1) and special exception relief from the minimum penthouse setback requirements (Subtitle C § 1506.1) and long-term bicycle parking requirements (Subtitle C § 807.2) in order to construct new apartment units to serve homeless veterans (the “**Project**”).

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “**Board**”) has jurisdiction to grant the variance and special exception relief requested herein pursuant to Subtitle X §§ 1002.1 and 901.2 of the Zoning Regulations.

III. BACKGROUND

A. The Applicant

The Applicant is a non-profit community development organization established by the Church to advance the Church’s mission of social and economic empowerment through neighborhood revitalization and community investment. While the Church retains ownership of the Property, the Applicant serves as its development arm, responsible for planning, managing,

and implementing projects that align with the Church's broader goals of community service, affordable housing, and equitable development. In this capacity, the Applicant is authorized to act on behalf of the Church in connection with this zoning application.

In addition to its work as the Church's development arm, the Applicant pursues a broad portfolio of community-serving programs. These initiatives include financial and economic empowerment programs, visual and literary art programs, public affairs work promoting civic engagement and economic justice, health programs addressing wellness and access to care, and youth programs designed to introduce students to STEM disciplines and expand opportunities in science and technology.

B. The Property and the Surrounding Neighborhood

The Property is located in Downtown DC with frontage on M Street NW. The Property has approximately 12,406 square feet of land area and is within the D-6 zone district. A copy of the Zoning Map is attached at **Tab A**. The Property is improved with the Metropolitan AME Church (the "**Church Building**"), an approximately 30,000 square foot institutional structure that occupies the majority of the lot. The Church Building features gothic revival architecture and was originally built in 1886. The Church Building has been the site of numerous civic and educational assemblies, including visits from U.S. Presidents, political, cultural, and civil rights leaders. It was the site of the funeral of Frederick Douglass. The Church Building was designated as an historical landmark in 1974.

The Property sits mid-block on M Street between 15th Street and 16th Street NW. To the rear of the Property is a 28-foot-wide alley network (the "Alley"). The surrounding Downtown neighborhood is high-density, mixed-use, defined by 11-12 story buildings. The Property directly

abuts two, 12-story office buildings on each side. Additionally, there is a 12-story office building to the south of the Property across the Alley.

The Property benefits from excellent multimodal connectivity in the Downtown core. It is located within a short walk of several Metrorail stations, including Farragut North on the Red Line and Farragut West and McPherson Square on the Blue, Orange, and Silver Lines, each approximately a 6–10 minute walk, providing direct regional access. Multiple Metrobus routes operate along adjacent corridors such as 15th Street, M Street, Massachusetts Avenue, and K Street, with stops located within one block of the site. The Property is also served by a Capital Bikeshare station at 15th and M Street NW, immediately adjacent to the site, and enjoys direct frontage on the 15th Street NW protected cycle track as well as close proximity to the M Street NW protected bike lane, both of which provide continuous low-stress bicycle connections throughout the city. The surrounding neighborhood achieves a Walk Score of 98¹ (“Walker’s Paradise”), reflecting the site’s dense, pedestrian-oriented environment and its accessibility to jobs, services, and amenities.).

C. The Project

The Applicant proposes to construct a new residential addition to serve as housing for at-risk veterans. A copy of the Architectural Plans are enclosed at **Tab B**. The Project will be located to the rear of the Church Building in order to preserve the building’s historical attributes. The Project will have 28 residential units with approximately 17,393 square feet of gross floor area and a building height of 109 ft and 12 stories.

The Project originates from a faith-based affordable housing initiative jointly sponsored by the D.C. Department of Housing and Community Development (“**DHCD**”), Wells Fargo, and

¹ <https://www.walkscore.com/score/1518-m-st-nw-washington-dc-20005>

Enterprise Community Partners. As part of this program, twelve churches across the District were selected to explore opportunities to redevelop underutilized property for community-serving housing. Metropolitan AME Church was chosen to participate in this inaugural cohort and received grant funding from DHCD and Wells Fargo to assess the feasibility of developing affordable housing on Church property. Working through the Applicant, the Church identified the Property as the only feasible site within its portfolio to accommodate this mission-driven use, based on its location, physical characteristics, and ability to support the program requirements.

The Church is advancing a Project that will provide permanent supportive housing specifically designed to serve homeless veterans. The development will offer on-site wraparound services and resources aimed at promoting stability, engagement, and pathways toward independence. To provide additional outdoor space, the Project's penthouse includes an atrium that serves as a gathering space for residents. The atrium will be used for resident meetings and supportive service activities, including to grow vegetables and fruit. The penthouse level will also contain a kitchen designed to support nutritional programming and related educational initiatives that promote resident wellness and self-sufficiency. By integrating these uses within the penthouse, the Project provides the functional space needed to deliver essential supportive services while maintaining a form, scale, and massing consistent with the intent of the D-6 zone.

The D-6 Zone permits a maximum floor area ratio (FAR) of 8.5 (Subtitle I § 559.1). Based on a lot area of 12,406 square feet, the maximum permitted gross floor area is 105,451 square feet. The combined church and residential uses will total 47,393 square feet (30,000 square feet existing church plus 17,393 square feet proposed addition), which equals an FAR of approximately 3.8. The D-6 Zone permits 100% lot occupancy (Subtitle I § 202.1), and the Project

will fully occupy the lot in compliance with this provision. The Project will also satisfy the green-area-ratio requirements of 0.2. (Subtitle I § 208.1).

Since the proposed residential building will contain fewer than fifty affordable dwelling units, the Project is not required to provide any vehicle parking (Subtitle C § 701.5)² or loading (Subtitle C § 901.1). The Project will incorporate three short-term bicycle parking spaces but no long-term bicycle parking.

IV. NATURE RELIEF SOUGHT

The Applicant is seeking area variance relief from the rear yard requirement of Subtitle I § 205.1. The Project provides a rear yard of 12 feet, as measured to the centerline of the alley. Based on the proposed 109-foot building height,³ a minimum rear yard of 17.5 feet is required (2.5 inches per foot of building height). Accordingly, the Project requires 5.5 feet of relief from Subtitle I § 205.1. In the D zones, rear yard relief is generally available by special exception pursuant to Subtitle I § 205.5; however, the Project does not comply with subsection (a) restricting the window of a residence from being located within 40 feet of another building. Accordingly, the Applicant is pursuing area variance relief from the rear yard requirement.

The Application is also requesting special exception relief from the penthouse setback requirements of Subtitle C § 1502.1(c)(1-2) and long-term bicycle parking requirements of Subtitle C § 802.1. The proposed penthouse does not fully comply with the front and rear setback requirements of Subtitle C § 1502.1(c)(1-2). Accordingly, the Applicant seeks special exception relief under Subtitle C § 1506.1 to permit the proposed penthouse configuration.

² Subtitle C § 701.5 requires one vehicle parking space for every three affordable dwelling units in excess of fifty affordable dwelling units for affordable developments that meet the criteria of Subtitle C § 1001.6(a) and Subtitle C § 702.1. The Project includes fewer than fifty affordable dwelling units and satisfies these criteria; therefore, no vehicular parking is required.

³ Pursuant to Subtitle I § 205.2(a), a rear yard is not required for the first 25 feet of building height above the mean finished grade at the rear of the structure.

The Project is a residential use that is required to provide nine long-term bicycle parking spaces (1 per 3 dwelling units). Since the Project will provide no long-term bicycle parking, the Applicant requests special exception relief under Subtitle C § 807.2.

V. VARIANCE STANDARD OF REVIEW

Under D.C. Code § 6-641.07(g)(3) and 11 DCMR § X-1000.1, the Board is authorized to grant an area variance where it finds that:

- (1) The property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;
- (2) The owner would encounter practical difficulties if the Zoning Regulations were strictly applied; and
- (3) The variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map. *See French v. District of Columbia Bd. of Zoning Adjustment*, 658 A.2d 1023, 1035 (D.C. 1995).

Applicants for an area variance must demonstrate that they will encounter “practical difficulties” in the development of the property if the variance is not granted. *See Palmer v. District of Columbia Bd. of Zoning Adjustment*, 287 A.2d 535, 540-41 (D.C. 1972). An applicant experiences practical difficulties 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).

Importantly, the Board may apply a more flexible standard of review when it assesses a public service organization, “especially where the organization is seeking the zoning relief in order to meet a public need or serve the public interest.” *See Neighbors for Responsive Government v. D.C. Bd. of Zoning Adjustment*, 195 A.3d 35, 56 (D.C. 2018); *see also Monaco v. D.C. Bd. of Zoning Adjustment*, 407 A.2d 1091, 1097 (1979). The flexible standard of review can be applied regardless of whether the applicant seeks to expand an existing use or add a new use to the property in question. *See id.* at 59. As part of this reduced standard of review, the Board

may more fully weigh the equities of an individual case, including the organization's needs, in finding an exceptional situation or condition. *See id.* at 56; *see also Monaco* at 1098; *see also National Black Child Development Institute, Inc. v. D.C. Bd. of Zoning Adjustment*, 483 A.2d 687, 690 (1984).

Here, the Board should apply a more flexible standard of review to the Applicant, which is a non-profit organization seeking to accomplish its mission by constructing an all-affordable residential building for at risk veterans

VI. APPLICANT MEETS BURDEN FOR VARIANCE RELIEF

A. The Property is Affected by an Exceptional Situation or Conditions

The phrase “exceptional situation or condition” in the above-quoted variance test applies not only to the land, but also to the existence and 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). Moreover, the unique or exceptional situation may arise from a confluence of factors which affect a single property. *Gilmartin*, 579 A.2d at 1168.

In this case, a confluence of factors gives rise to an extraordinary or exceptional situation or condition affecting the Property.

1. The existing configuration of the Church Building

The Church Building occupies a large portion of the Property with limited remaining lot area for additional development. The Church Building is set back approximately twenty-one (21) feet from the rear Alley, only 3.5 feet more than the 17.5-foot rear yard required by zoning. As a result, there is very limited functional space between the rear façade of the Church Building and the required setback line. This minimal separation leaves almost no opportunity to accommodate new construction or meet dimensional standards without relief. Despite these characteristics, the

Property is located in a Downtown zone with significantly greater density allowances than what is currently used by the Church Building.

2. The Church Building's historical landmark status

The Property is improved with the Church Building, which is designated as a historic landmark and subject to oversight by the Historic Preservation Review Board. The Church's landmark status, combined with the existing configuration of the sanctuary and the limited lot area available for redevelopment, significantly constrains the design and siting of any new structure.

3. The programmatic needs for permanent supportive housing

The Applicant and the Church are pursuing this affordable housing project geared toward at-risk veterans through a program led by DHCD, Wells Fargo, and Enterprise Community Partners. This program has allowed the Church to receive grant funding to evaluate and advance a feasible affordable housing project.

However, the Property is the only parcel within the Church's portfolio suitable for the Project. The Property's downtown location makes it uniquely suitable for at-risk veterans because it is highly accessible by multiple modes of public transportation, allowing residents to reach employment opportunities, health care providers, and veteran support services throughout the District. The site's central location also allows residents to remain connected to the Church's existing ministries and community programming, which include food assistance, counseling, and social support initiatives that directly align with the needs of at-risk veterans. By locating the Project on church-owned land, the Church can integrate on-site supportive services and foster a sense of belonging and stability within a familiar and compassionate environment. This

combination of accessibility, proximity to essential services, and connection to a well-established faith community makes the Property uniquely capable of supporting the Project's goals.

As a whole, the Property's historic constraints, physical characteristics, and the Church's commitment to utilize public and private funding to create permanent supportive housing with on-site services for homeless veterans presents the type of "confluence of factors" recognized in *Gilmartin v. D.C. Bd. of Zoning Adjustment*, 579 A.2d 1164, 1168 (D.C. 1990), as establishing an exceptional situation or condition warranting relief.

B. Strict Application of the Zoning Regulations Would Result in Practical Difficulty of the Relief is Not Granted

Strict application of Subtitle I § 205.1 would result in a practical difficulty because it would further reduce the depth of the Project and cut directly into the space needed to accommodate the Project's residential units and supportive service areas. Due to the Church Building, which is a designated historic landmark, any new development is pushed to the rear of the existing sanctuary to preserve the landmarked structure and its historic setting. Accordingly, the Project is already limited to a width of 21'9". Yet, if a rear yard of 17.5 feet is required, then the Project would be further reduced to approximately 16'4", an extraordinarily narrow width for a multi-family use.

While the proposed dwelling units are designed as micro-apartments to maximize efficiency within these tight constraints, a further reduction in width would undermine livability and program functionality. The already-narrow floorplate does not allow for a reasonable reconfiguration of the hallway, access cores and units. Therefore, any additional loss of floor area required to meet the full rear yard standard would eliminate needed units and programmatic spaces, effectively rendering the Project infeasible.

Additionally, the rear yard requirements in the D zones are based on overall building height. However, due to the programmatic needs and efficiencies of the Project, the overall building height cannot be reduced. To achieve a Project with the requisite programming and support services, the Applicant must provide a minimum number of units. If the Applicant were to reduce the Project height to 67 feet, the rear yard requirement would be 14 feet and could be met. However, in this scenario, the Project would only be a maximum of six-seven stories and would likely be reduced to 10-13 units, also making the Project infeasible.

C. No Substantial Detriment to the Public Good or Impairment of the Zone Plan

The requested rear yard relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, or integrity of the Zone Plan.

First, the Property is located in the D-6 zone, the purposes of which are “to permit high-density development of mixed uses in an area bounded generally by New York Avenue, N.W. and M Street, N.W. between 12th and 19th Streets, N.W., and, in conjunction with sub-area use requirements, to promote the retention of a vital retail corridor on lower Connecticut Avenue, N.W.” *See* Subtitle I § 554.1. The proposed Project is fully consistent with these purposes as it will introduce a new residential use within a high-density mixed-use corridor. The Project makes use of an underutilized portion of the Property with housing and community-serving space that reinforce the neighborhood’s vitality.

Additionally, the Project would qualify special exception relief under Subtitle I § 205.5 but for the condition of subsection 205.5(a), which prohibits windows to a residential use within 40 feet of another facing building. That condition is the subject of a pending text amendment before the Zoning Commission in Z.C. Case No. 25-12. The Office of Planning is proposing to eliminate conditions for rear yard relief in the D zones (and MU zones), reflecting the Office of

Planning's recognition that the current standard is unnecessarily rigid and inconsistent with the District's housing and urban design objectives. *See* Z.C. Case No. 25-12, Ex. 2, pg. 47-48. The pending amendment underscores that the requested variance is aligned with the policy direction and intent of the Zoning Regulations.

Finally, the Board has recently approved similar rear-yard relief in BZA Case No. 21328, where comparable constraints arising from historic structures and limited site depth justified variance relief. Granting the same type of relief here would therefore be consistent with established precedent and the overall purpose of the D-6 zone to accommodate dense, mixed-use, and residential development in the Downtown area.

VII. SPECIAL EXCEPTION STANDARD OF REVIEW

Under D.C. Code § 6-641.07(g)(2) and Subtitle X § 901.2, the Board is authorized to grant a special exception where it finds the special exception:

- (1) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
- (2) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and
- (3) Subject in specific cases to special conditions specified in the Zoning Regulations. 11 DCMR Subtitle X § 901.2.

Relief granted through a special exception is presumed appropriate, reasonable, and compatible with other uses in the same zoning classification, provided the specific requirements for the relief are met. In reviewing an application for special exception relief, “[t]he Board’s discretion . . . is limited to a determination of whether the exception sought meets the requirements of the regulation.” *President & Dirs. of Georgetown College v. D.C. Bd. of Zoning Adjustment*, 837 A.2d 58, 68 (D.C. 2003); *see also Stewart v. District of Columbia Bd. of Zoning Adjustment*,

305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.*

VIII. APPLICANT MEETS BURDEN FOR SPECIAL EXCEPTION RELIEF

A. The Relief is Harmonious with the General Purpose and Intent of the Zoning Regulations and Maps

i. Penthouse Setbacks

The requested relief is consistent with the intent of the D-6 zone, the purpose of which under Subtitle I § 554.1 is “to permit high-density development of mixed uses in an area bounded generally by New York Avenue, N.W. and M Street, N.W. between 12th and 19th Streets, N.W., and, in conjunction with sub-area use requirements, to promote the retention of a vital retail corridor on lower Connecticut Avenue, N.W.” The proposed penthouse supports this objective by allowing an efficient high-density residential project that delivers permanent supportive housing and ground-level community-serving space on a constrained historic site. The penthouse includes an atrium designed to support the Project’s nutritional programming and related services, which are essential components of the supportive housing model. The relief enables the building to operate safely and efficiently, including through the provision of an atrium that satisfies a critical programmatic need, without increasing its height, bulk, or visible massing beyond what is anticipated by the zone.

ii. Long-Term Bicycle Parking

The Project is for homeless veterans who will predominantly be older in age. The makes it unlikely that residents will have or use bicycles to get to and from the Project. Additionally, the Project has a very limited floorplate, which makes it exceedingly challenging to dedicate space to long-term bicycle parking. To provide the required nine long-term spaces, the Project would

have to remove the already limited amenity spaces, including an exercise room, laundry room, kitchen and lounge.

B. The Relief Will Not Tend to Adversely Affect the Use of Neighboring Property

i. Penthouse Setbacks

The requested setback relief will not adversely affect the use of neighboring property. The penthouse structure meets the height requirement in the zone and is located to the rear of the Property away from M Street. Accordingly, the penthouse will be fully screened from public view on both the north and south side of M Street NW, as depicted on Sheet C-18 of the Architectural Plans. *See **Tab B***. Surrounding development in the D-6 zone consists largely of taller mixed-use and office buildings; accordingly, the proposed penthouse will not materially affect light, air, or privacy for adjacent properties.

ii. Long-Term Bicycle Parking

The Project is located Downtown with excellent access to several forms of public transportation. The Property's central location is also an eminently walkable location to many points around the city. The Project will provide short-term bicycle parking to supplement the lack of long-term bicycle parking.

C. The Project Meets the Special Conditions for Penthouse Setback Relief

To obtain relief from penthouse setback requirements, the Applicant must demonstrate compliance with the special conditions of Subtitle C § 1506.1. The Project meets these special conditions as follows:

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

See §§ VII (A) and (B) above.

- (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”*

The Applicant’s design team has made a reasonable effort to comply with the required penthouse setbacks for the elevator/stair overrun. The Project’s depth and width is significantly limited by the historic Church Building. The Project is only 21’9” wide, which means a fully compliant penthouse with a rear and front setback could only be seven feet in height. Yet, the Project architect has determined the shortest the override could be is 16 feet above the roofline. There is insufficient space to create a rear and front setback equal to the 16-foot height of the over-ride.

- (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;...*
- (2) The relief requested would result in a better design of the penthouse or rooftop structure without appearing to be an extension of the building wall;*
- (3) The relief requested would result in a penthouse or rooftop structure that is visually less intrusive; or*
- (4) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C § 115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.*

The proposed penthouse satisfies Subtitle C §§ 1506(c)(1) and (4). Strict application of the penthouse setback requirement would be unduly restrictive given the Property’s limited buildable depth and the landmark constraints of the Church Building. All new development must occur entirely to the rear of the existing sanctuary to preserve the historic structure, leaving only a narrow footprint and roof area for new construction. Within that limited roof space, the building

must accommodate required mechanical equipment, an elevator overrun, and stairwell access to comply with the D.C. Construction Code. Shifting those elements further inward to meet the full 1:1 setback would make the building functionally unworkable and prevent compliance with life-safety and access requirements. Since the roof area is so constrained, full compliance would also reduce the efficiency of the floors below and jeopardize the viability of the Project as a whole. The modest relief requested is therefore the minimum necessary to allow a code-compliant and operational building consistent with the design intent and scale of surrounding development.

Likewise, the proposed atrium is intended to provide space for nutritional programming and for residents to socialize in an outdoor setting. The proposed 11-foot height of the atrium is needed to make it habitable space. Based on the width of the Project, a compliant penthouse could only be seven feet in height, which is unreasonable for habitable space.

D. The Project Meets the Special Conditions for Bicycle Parking Relief

To obtain relief from bicycle parking requirements, the Applicant must demonstrate compliance with the special conditions of Subtitle C §§ 807.2-807.3.

With respect to Subtitle C § 807.2, the Applicant meets the following conditions:

- (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*

The Project is only 16'4" in width on the first nine floors. This is an exceedingly narrow dimension that is driven by the need to preserve the historic Church Building. To that end, The Project's width greatly restricts the Applicant's ability to provide a bicycle parking room or lockers. The Project's first level and basement level (where long-term bicycle parking is permitted) is already a smaller floorplate than the levels above, as a portion of both levels are "cut-out" to provide for utilities. The Project's first level and basement level are otherwise

comprised of a kitchen, two stairs, an elevator, a small exercise room, a laundry room and a trash room. To incorporate bicycle parking would require elimination of these important amenities that will serve residents.

- (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*

The Project will generate less demand for bicycle parking than the minimum standards. While the Project is subject to residential apartment standards for bicycle parking, the Project will serve an older population than the average residential apartment building. This older population is less likely to use bicycle transportation and, therefore, less likely to need long-term bicycle parking. Additionally, the land use characteristics of the Downtown neighborhood minimize the need for bicycle parking, as residents will have excellent access to many forms of public transportation. The Department of Veterans Affairs also has a transportation program that will help residents get to medical appointments, places of employment and other locations.

- (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 noted in connection with Subtitle C § 807.2(a), the historic Church Building drives the need for bicycle parking relief. To preserve the historic attributes of the Church Building, the Project is sited at the rear of the Property behind the Church Building. This results in the Project

having a narrow width, particularly for a multi-family building. The narrow width greatly limits the available space for long-term bicycle parking.

Additionally, the Applicant meets the special conditions of Subtitle C § 807.3, which requires that the “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 by the applicant; and

The Applicant has established the Project will be for homeless veterans who are unlikely to have or use personal bicycles.

(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.

The Applicant has established that nine long-term bicycle spaces, whether in a room or lockers, cannot be provided in the Project without sacrificing already-limited amenity space for residents, such as a small gym, a laundry room, a lounge or a kitchen. Further, there is insufficient space within the Church Building, much of which is dedicated to the sanctuary and office space for church staff.

VIII. COMMUNITY OUTREACH

he Applicant has conducted preliminary outreach regarding the Project with ANC 2C, the Office of Councilmember Pinto (Ward 2), and both the DowntownDC and Golden Triangle Business Improvement Districts. ANC 2C expressed general support for the Project concept. The other stakeholders were appreciative of the early information, indicated they would disseminate it as appropriate, and requested to be kept informed of upcoming community meetings and future engagement efforts. The Applicant also met with DHCD in October 2023 to discuss potential

financing opportunities for the Project. The Applicant will formally present its Application to ANC 2C at its next available public meeting.

IX. SUMMARY OF WITNESS TESTIMONY

For the Applicant, Charles Breece and Dr. Gladys Vaughn will testify regarding the Project and community outreach. Alton Green, the Project's architect, will testify regarding architecture and design. The Applicant reserves the right to add witnesses or expert witnesses as necessary.


X. CONCLUSION

For the reasons stated above, the Project meets the applicable standards for area variance and special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully request the Board grant the application.

Respectfully Submitted,

COZEN O'CONNOR


Eric J. DeBear


Zachary R. Bradley

Tab A

