



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**

June 18, 2018

Carolyn Brown, Esq.
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Re: 3920 Alton Place, N.W. – Proposed Church and CCRC

Dear Ms. Brown:

This letter confirms our discussions regarding the proposed new church and continuing care retirement community ("CCRC") facility to be constructed as a single building on the property owned by the Wisconsin Avenue Baptist Church at 3920 Alton Place, N.W. (Square 1778, Lot 14). The property is located in the R-1-B District, as shown on the zoning map attached as Exhibit A. Lot 14 is a through lot with frontage on Alton Place, N.W., and Yuma Street, N.W., with a small portion also fronting on Nebraska Avenue, N.W. I understand that you will be seeking special exception and variance relief from the BZA for the CCRC use, number of parking spaces, retaining wall height, side yard width, number of stories, and lot occupancy. At our meeting on May 17, 2018, we discussed the application of the following zoning regulations to the project:

1. Building Height Measuring Point. Pursuant to 11-B DCMR § 308.2, the "building height measuring point (BHMP) shall be established at the existing grade at the mid-point of the building façade of the principal building that is closest to a street lot line."¹ As shown on the site plan attached as Exhibit B, the Alton Place elevation of the proposed building is treated as a single façade, with setbacks from the property line varying between 10 and 18 feet. I confirm that these variations in setbacks do not create separate facades and that the entire Alton Place elevation, which is 97 feet wide, should be treated as a single, continuous façade, with the BHMP located at the mid-point of that façade (48.5 feet).

2. Front Setback Requirement. Pursuant to 11-D DCMR § 305.1, a "front setback shall be provided within the range of existing front setbacks of all residential buildings within an R-1 through R-3 zone on the same side if the street in the block where the building is proposed." Here, there is only one house adjacent to the property on Alton Place, which has been selected as the street frontage for the project. The adjacent house has projecting bays on its Alton Place elevation, with a range of setbacks between 4.1 feet and 11.4 feet. The proposed CCRC/church building will be set back from Alton Place approximately 10 feet. I conclude that this 10-foot setback will be within the range of existing front setbacks on this south side of the 3900 block of Alton Place, N.W., and therefore complies with the requirements of 11-D DCMR § 305.1.

¹ We discussed the proposed text amendments to the definition of BHMP as proposed in Z.C. Case No. 17-18, to be considered by the Zoning Commission on May 24, 2018. The proposed definition provides that the BHMP shall be established at the "existing *adjacent natural or finished grade, whichever is lower in elevation*, at the mid-point of the building façade of the principal building that is closest to a street lot line." You stated that the church/CCRC building will be designed to meet the applicable definition of "existing grade" or "adjacent or finished grade," whichever is ultimately adopted by the Zoning Commission.

3. Screening for Penthouse Mechanical Equipment. Your proposed design for the CCRC portion of the building will have a mansard roof with mechanical equipment located behind it, as shown on the roof plan and section attached as Exhibits C-1 and C-2. The roof will slope back from the roof edge at a 45 degree angle a distance of 12 feet, with an overall height of 12 feet. I confirm that the mansard roof constitutes screening for rooftop mechanical equipment and meets the setback requirements for penthouse enclosures under 11-C DCMR § 1502.1. The church portion of the building at the southwest corner of the site will have a flat roof and a parapet of less than four feet in height, rather than a mansard roof. You propose to screen the mechanical, stair and elevator penthouses on this portion of the roof with enclosure walls that will connect to the mansard roof, forming one enclosure. The enclosures and equipment will have a height of no more than 12 feet, and will be set back a distance equal to their height. I confirm that such treatment of the penthouse enclosure on this portion of the roof will also comply with the penthouse setback provisions.

4. Classification of CCRC Use as Residential Use. A CCRC was previously known as an assisted living facility under the 1958 Zoning Regulations and deemed a type of institutional use. The 2016 Zoning Regulations now classify assisted living facilities as a residential use, pursuant to 11-B DCMR § 200.2(bb). That paragraph lists an assisted living facility as a type of residential use:

(bb) Residential: (1) A use offering habitation on a continuous basis of at least thirty (30) days. The continuous basis is established by tenancy with a minimum term of one (1) month or property ownership; (2) This use category also includes residential facilities that provide housing and supervision for persons with disabilities, which may include twenty-four hour (24 hr.) on-site supervision, lodging, and meals for individuals who require supervision within a structured environment, and which may include specialized services such as medical, psychiatric, nursing, behavioral, vocational, social, or recreational services; (3) Examples include, but are not limited to: single dwelling unit, multiple dwelling units, community residence facilities, retirement homes, rooming units, substance abusers' home, youth residential care home, *assisted living facility*, floating homes, or other residential uses;....

11-B DCMR § 200.2(bb)(1).

As a residential use, I confirm that the CCRC portion of the building must comply with the residential requirements for vehicle parking, bike parking and loading facilities.

Please do not hesitate to contact me with any addition questions.

Sincerely, Matthew Le Grant
Matthew Le Grant
Zoning Administrator

Attachments:
Exhibit A – Zoning Map
Exhibit B – Site Plan
Exhibit C1 – Roof Plan
Exhibit C2 – Roof Section