



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Arthur Jackson, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 13, 2011
SUBJECT: BZA Case No. 18248, 1427 Rhode Island Avenue NW

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to construct an apartment building on the subject property, the Office of Planning (OP) **recommends approval** of the area variances from:

- § 2101.1 (18 parking spaces required, 12 parking spaces proposed);
- § 2115.1 (9 x 19-foot parking spaces are required, two conforming spaces are proposed with balance of the spaces being 9 x 16- and 9 x 17-feet in size); and
- § 2117.4 (each parking space is required to be accessible to the improved alley, five tandem parking spaces are proposed).

A reduction from the standard under § 2201.1 for a 55-foot loading berth is supported, but OP **recommends** a 30-foot deep loading berth instead of the proposed 25-foot loading berth OP would also support reduction in the size of the loading platform from 200- to 100-square feet, consistent with § 2201.1 standards. The application does not sufficiently explain the practical difficulty associated the requested relief from the required one service-delivery loading space 20-foot deep.

If the Board of Zoning Adjustment (BZA) does vote to approve the applicant's loading and service-delivery parking solution, then the provisions of the applicant's Traffic Demand Management and truck management plans should be made conditions of approval.

II. AREA AND SITE DESCRIPTION

Address:	1427 Rhode Island Avenue NW
Legal Description:	Square 0210, Lots 27 and 28
Ward:	2
Zoning:	R-5-E
Lot Characteristics:	Two vacant lots both 20 feet wide with a combined area of 6,181 square feet (0.14 acre) and frontages along Rhode Island Avenue NW and a paved alley that is 30-foot wide (refer to Figure 1).
Adjacent Properties:	To the north across the alley is a Whole Food Market and a CVS pharmacy that front P Street NW; south across the avenue are The Braxton (a local historic landmark), Hotel Helix and several multiple-dwellings 3-10 stories in height; and to the east and west along Rhode Island Avenue are residential buildings from three- to nine-stories in height.



Neighborhood Character:	High-density residential
Historic Preservation:	Greater 14 th Street Historic District

III. APPLICATION IN BRIEF:

The applicant plans to develop an eight-story, 42,525 square-foot apartment building with approximately 70 units. The unit mix would consist mostly of studio apartments with some one bedroom apartments. The ramps and steps immediately south in the Rhode Island Avenue public space would provide the primary pedestrian access to the building. Vehicular access for parking and service would be from the 30-foot wide alley to the north.

The Prehearing Statement of the Applicant submitted on September 6, 2011 provided additional details about this proposal. There would two standard parking spaces at-grade and 10 spaces in a below-grade garage that vary in size from 9 x 16- to 9 x 17-feet. Five of these spaces below grade would be tandem. Garage access would be provided by shared use of existing driveway the neighboring property which is also owned by the applicant. A five-foot wide pavement strip on the subject property would expand this driveway to 16 feet wide to accommodate the additional vehicle traffic. The applicant stated that a shared vehicular access easement has already been recorded. Two standard parking spaces and the loading berth 25-feet deep would be accessed directly from alley.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

R-5-E Zone	Regulation	Proposed ¹	Relief
Height (ft.) § 770	90 ft. max.	88 ft.	None required
Lot Width (ft.)	None	40 ft.	None required
Lot Area (sq.ft.)	None	6,181 s.f.	None required
Floor Area Ratio § 771	7.2 (max.)	6.88	None required
Lot Occupancy § 772	90% max.	82%	None required
Rear Yard (ft.) § 774	22 ft. min.	22.5 ft.	None required
Parking § 2101	18 spaces	2 spaces (8 not large enough)	16 spaces
Loading § 2201	1 loading berth 55-foot deep; 1 loading platform 200 s.f.; and 1 service/delivery loading space 20 feet deep	1 loading berth 25-foot deep and 1 loading platform 200 s.f. ²	Relief Required

Zoning relief is required because:

- the onsite parking would 12 spaces, less than the 18 spaces required under § 2101.1;
- most of the parking spaces would be 9 x 16- and 9 x 17-feet ² instead of the standard of 9 x 19-foot for required parking spaces per § 2115.1;
- the tandem parking arrangement would result in half of the underground spaces not being accessible at all times to the driveway (improved alley) as required under § 2117.4; and

¹ Information provided by applicant.

² Revised in the supplemental submission

- a 25-foot deep loading berth instead of 55-foot deep would be provided and a service/delivery loading space 20-foot deep would not be provided, as required under § 2201.1.

In response to a question about how the tandem parking would function, a footnote in the Statement explained that the rental agreement would include a key share clause requiring renters of a tandem pair of parking spaces to share copies of their car keys in case one vehicle was blocked in by the other.

In light of the above, the applicant submitted this application for variance to address these zoning inconsistencies.

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from §§ 2101.1, 2115.1 and 2117.4 (Parking)

i. Uniqueness Resulting in a Practical Difficulty

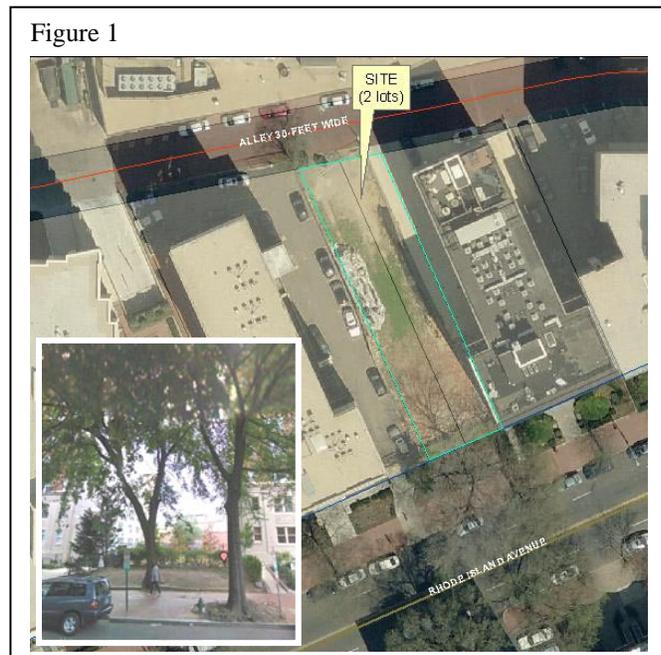
At 40 x 159 feet the project site is extremely long relative to its width. The combined land area of 6,181 square feet still makes it one of the smallest sites on this frontage of the square. Current regulations would require a 14-foot wide drive aisle for two-way traffic to serve one perpendicular row of 9 x 19-foot parking spaces (to site is not wide enough for two rows of parking). Even if parking occupied the entire area below grade, only nine 9 x 19-foot parking spaces could be accommodated south of driveway ramp. A multi-level underground garage is not an option due to property size and the associated construction cost.

The site width and size, therefore, present a practical difficulty to providing the required number of parking spaces onsite. In order to increase the onsite parking available the applicant proposed to provide smaller 9 x 16- and 9 x 17-foot spaces, which would be larger than the compact car standard of 8 x 16-feet, and use a tandem configuration. While not enough to meet the requirement, this alternative parking strategy would provide more spaces than could be accommodated onsite under the currently regulations.

ii. No Substantial Detriment to the Public Good

A memorandum from traffic consultants Wells + Associates identified a number of alternative transportation options in the vicinity: regular Washington Metropolitan Transit Authority (WMATA) Metrobus and District Department of Transportation Circular bus routes that run one-square away along 14th P and 16th Streets; WMATA McPherson Square and Farragut North Metro rail stations within a 15-minute walk of the site; a number of ZIP car locations nearby on 14th, Church and 13th Streets; and Capital Bikeshares bicycle rental locations on 14th Street and 15th Street. Fifty bicycle parking spaces would also be provided onsite as part of this project.

Due to the proximity of these options the consultant estimated that this project would generate 38 total AM peak hour trips and 56 total trips during the PM peak hour, and that approximately half of these trips would utilize



“non-auto modes of transportation.” The impact of the remaining vehicle trips on the existing vehicular congestion was said to be insignificant.

The memorandum also outlined a number of traffic demand management (TDM) steps proposed to encourage the use of non-auto traffic modes. Besides distributing information about the various options, each tenant would have the option of one of the following after signing a lease:

- a one-year Zip-Car membership (annual fee and application fee);
- a one-year membership in Capital Bikeshares (annual fee); or
- a WMATA SmartTrip Card pre-loaded with \$75.

The applicant also inquired about the subject property becoming a ZipCar location (the company is considering this possibility).

In light of the planned and available options it does not appear that the proposed parking reduction would negatively impact the surrounding neighborhood.

iii. No Substantial Harm to the Zoning Regulations

Granting the requested zoning relief in accordance with these provisions would not be detrimental to the intent and integrity of the Zoning Regulations.

b. Variance Relief from § 2201.1 (Loading)

i. Uniqueness Resulting in a Practical Difficulty

The unique lot dimension referenced above only present a limited practical difficulty with regards to meeting the requirements of this section.

Loading Berth 55-Foot Deep: The application proposed to replace the 55-foot deep loading bay with one that is 25-foot deep. The Statement observed that future tenants would not need large moving vans to relocate into studio and one-bedroom apartments. The consultants noted the smaller trucks that a national rental company recommends moves into studio and one bedroom apartments. The Statement also outlined the applicant’s proposed truck management plan.

OP agrees that vehicles smaller than 55 feet would generally be utilized to moving into the units in this development, the regulations only reference two standards for loading berths – 55-foot deep and 30-foot deep. Zoning Regulations also state:

2203.3 All loading berths shall be designed so that no vehicle or any part thereof shall project over any lot line or building line.

The concern is that standard moving vehicles parking onsite would extend into the public alley from a loading berth that is only 25-foot deep. Since the proposed 25-foot depth does not appear to be a standard, OP instead supports reducing the current requirement from a 55-foot long berth to a 30-foot long berth in this case.

Loading Platform: Since the regulations require a loading platform of 100 square feet for a loading berth that is 30-foot deep, OP supports reducing the current loading platform requirement from 200- to the lesser standard of 100-square feet.

Service / Delivery Space: The application did not present sufficient explanation of how this requirement presents a practical difficult.

ii. No Substantial Detriment to the Public Good

Approving a loading berth smaller than either of the regulation standards, and not providing the required service / delivery space, could result in vehicles servicing this site to park in or

extending into the adjacent 30-foot wide alley. This circumstance would be detrimental to the navigability of this important public space that shared by a variety of densely-developed residential and commercial properties that surround it.

iii. No Substantial Harm to the Zoning Regulations

No harm would result from reducing the size of the loading berth and the associated loading platform to the lower standard in the regulation. However, since no uniqueness associated with the property has been identified that results in a practical difficulty related to providing the required service / delivery space, granting is requested zoning relief may be detrimental to the intent and integrity of the Zoning Regulations.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The Historic Preservation Review Board reviewed this proposal and found that the conceptual height, mass and architecture of this project to be consistent with the purposes of the preservation act. The applicant was directed to continue working with the Historic Preservation Office on the final design.

The District Department of Transportation (DDOT) was contacted about this proposal, and did not express any concerns. According to the traffic consultant's memorandum, DDOT requested that future tenants be excluded from the DC residential parking program. The applicant did not feel that they could limit the parking options of future tenants.

VII. COMMUNITY COMMENTS

On July 6, 2011, with a quorum present, Advisory Neighborhood Commission (ANC) 2F voted unanimously to advise the BZA to approve the requested variances.