

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: November 26, 2013

SUBJECT: BZA Case 18668, 1101 Rhode Island Avenue, N.W. and 1100 Q Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following area variances:

- § 776, Courts (350 SF and 16.7-foot width minimum; greater 350 SF and 1.5-foot width proposed);
- § 2604.1, Floor Area Ratio (3.0 permitted, 3.15 proposed);
- § 2604.2, Lot Occupancy (75 percent permitted, 90 percent proposed);
- § 2101.1, Off-Street Parking (19 spaces required, 14 proposed);
- § 2115.1, Length of Parking Spaces (19-foot minimum, 16 feet proposed); and
- § 2116.12, Setback of Parking Spaces from Lot Lines (20-foot minimum, less than 20 feet proposed);

The Office of Planning also recommends **approval** of the following special exception:

- § 411.11, Roof Structures (One height permitted, two proposed).

Subject to the following conditions:

1. Delineate the area to be devoted to mechanical equipment within the penthouses from the residential landings necessary to provide access to the private rooftop terraces to document that habitable space is not proposed to be provided within the penthouses; and
2. Obtain approval from the Public Space Committee for the residential and commercial bays, and for the exterior stairways and areaways within public space.

II. LOCATION AND SITE DESCRIPTION

Address	1101 Rhode Island Avenue, N.W. and 1100 Q Street, N.W.
Legal Description	Square 310, Lots 33 and 807
Ward	2



Lot Characteristics	Unusually shaped through lot fronting three streets with public alley access, and sloping downward from north to south
Zoning	C-2-A – medium density community business center commercial district
Existing Development	Auto repair shop and small apartment building
Historic District	Not applicable
Adjacent Properties	North and West: Row houses and apartment buildings South: Across Rhode Island Avenue, residential and commercial uses East: Across 11 th Street, Shaw Recreation Center and Cardozo Playground
Surrounding Neighborhood Character	Moderate density residential development with some office and commercial uses

III. APPLICATION IN BRIEF

The applicant proposes to demolish the existing improvements and construct a mixed-use building consisting of 38 units, and 2,950 square feet of retail space. It would be four stories in height, in the shape of an ‘L’ and include a landscaped courtyard in the rear. A retail bay window would face Rhode Island Avenue, within public space. All curb cuts would be removed.

Access to the retail space would be at the corner of 11th and Rhode Island, and all residential access would be from 11th Street. Nine of the units, four in the basement and five on the first floor, would be directly accessible from the sidewalk via exterior stairways, with areaways provided for the basement apartments within public space. A residential lobby for access to the remainder of the units would be from 11th Street, north of the retail entrance.

Vehicular access would be from the public alley. The building would be set back 1.5 feet along the north portion of the building, adjacent to a raised courtyard and the garage entrance, to facilitate vehicular movements into and out of the garage. The raised courtyard would be provided above a portion of the garage, providing green space and enclosing the garage, a portion of which would be more than four feet above grade and therefore count toward FAR and lot occupancy. The building would also be set back from the southwest corner of the property where the public alley intersects with Rhode Island Avenue.

Additional green area would be provided on the roof in the form of a green roof atop two penthouses. These penthouses would be 11 feet, 6 inches in height. A portion of the northern penthouse would rise to 18 feet, 6 inches to accommodate the elevator override.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

C-2-A Zone	Regulation	Proposed	Relief
Height § 770	50-foot max.	50 feet	None required
Court § 776	4 inches per building foot height, or 16.7 feet	1.5 feet	Required
Floor Area Ratio § 2604.1			
-Residential	3.0 ¹	2.89 ²	Not Required
-Other	1.5	0.26	Not Required
-TOTAL	3.0	3.15	Required
Lot Occupancy § 2604.2	75% max. ³	90%	Required
Parking § 2101	19 spaces min.	14 spaces	Required
Parking Setback § 2116.12	20-foot min.	< 20 feet	Required
Green Area Ratio § 3401	0.30	0.30	None Required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 2604.1, Floor Area Ratio; § 2604.2, Floor Area Ratio; § 2101, Parking; and § 2116.12, Parking Setback

i. Exceptional Situation Resulting in a Practical Difficulty

The southern portion of the subject property was developed as a gasoline station in 1922 and used as such until 1973. It was most recently used as a repair facility for taxi cabs. The combination of these two uses has resulted in the contamination of the subject property. An environmental investigation report submitted by the applicant and dated July 21, 2013 indicates that the site is contaminated with gasoline, and remediation costs increase the further one digs down.

The site is also unusually shaped, and in combination with the size of the property, adversely affects the applicant’s ability to design an efficient layout for the garage. Layout of the garage is further impacted by the location of the utilities, and where they will enter the building.

The garage is proposed to be one level, providing fourteen parking spaces, eight of which would be compact, or sixteen feet in length, and three spaces would be located less than twenty feet from a lot line to maximize the number of spaces provided. A portion of the garage would extend more than four feet out of the ground.

Digging down deeper to provide more than one garage level could yield additional parking spaces entirely below grade, eliminating the need for variances to lot occupancy, FAR and length of parking spaces, while also providing the minimum required twenty feet from a lot line above grade. However, the efficiency of the

¹ Includes an additional 0.5 for IZ

² Includes 0.15 dedicated to the portion of the parking garage in excess of four feet above grade

³ Includes an additional 15 percent for IZ

garage would decrease with each additional level, as the amount of aisle and ramp devoted to each parking space increases, and the cost per space would increase by approximately forty-five percent for the construction of a second garage level. Soil remediation costs would increase due to contamination.

Handicapped accessible parking spaces are required to have a minimum floor-to-ceiling height of 8 feet, 6 inches. The applicant is unable to provide this height without a portion of the garage extending more than four feet above grade, increasing the lot occupancy and FAR. Lowering the floor of the garage to accommodate this requirement would require a longer ramp into the building, reducing the efficiency of the garage and requiring either a second garage level or the provision of fewer parking spaces than proposed.

ii. No Substantial Detriment to the Public Good

The proposed garage would provide fourteen parking to the residents of the building in an area rated as Walker's Paradise (91), Transit Paradise (91) and Biker's Paradise (93).⁴ The Green, Yellow, Blue and Orange Metrorail lines are all located within a mile of the site, and ZipCar and Hertz on Demand are located less than a half mile away, providing the residents with a variety of transportation options.

Although three of the parking spaces within the garage would be located less than twenty feet from the Rhode Island Avenue lot line, these spaces would be located beneath the retail space on the ground level. A large bay window would be provided along much of the Rhode Island Avenue frontage, to allow for the provision of show windows into the commercial space and enliven the sidewalk.

The increase in lot occupancy and FAR would provide additional height within the garage, and not to increase either the commercial or residential square footage. It would result in a landscaped courtyard as an amenity to the residents of the building atop the garage, while enclosing the garage and blocking its view from adjacent properties.

iii. No Substantial Harm to the Zoning Regulations

The subject property is located in a walkable neighborhood with a variety of transportation options available, reducing the demand and need for off-street parking. Although the enclosed garage would increase the lot occupancy and FAR above that permitted by matter-of-right, the increase would not be used to increase the amount of floor area dedicated to residential units or retail space, and would be the same as if the applicant were able to locate the entire garage below grade. No blank walls would be provided as a result of the location of parking spaces less than twenty feet from a lot line, as display windows would be provided into the retail space along Rhode Island Avenue.

b. Variance Relief from § 776, Court Width

⁴ Walkscore.com

i. Exceptional Situation Resulting in a Practical Difficulty

The subject property is located adjacent to a ten-foot wide alley primarily providing rear access to row houses and surface parking within rear yards. The subject property would provide the enclosed parking within the building, requiring the building be set back 1.5 feet from the rear lot line abutting the alley for a distance of 62 feet along the rear wall of the building to ensure adequate turning radii for vehicles to enter and exit the garage.

ii. No Substantial Detriment to the Public Good

The reduced court width would not adversely affect the provision of light and air into the building as the court would open directly onto the public alley, against which no wall is proposed to be constructed.

iii. No Substantial Harm to the Zoning Regulations

The reduced width would allow for improved vehicular access into the building and a wider alley width for a distance of 62 feet along the rear wall of the building. No wall is proposed to be built along the alley on the subject property that could result in an undesirable design, blocking light and air into the rear of the building.

c. Special Exception Relief pursuant to § 411.11, Roof Structures

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal to provide two roof structure heights would allow the applicant to provide penthouses, the majority of the roof structures, at a lower height than the elevator override. The height of the penthouses could be increased to match the height of the elevator override, but this would serve to increase the visibility of the penthouse and increase the appearance of bulk on the roof of the building without providing additional screening.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The lower height of the penthouses would not tend to adversely affect the use of neighboring property as its lower height would be less visible than if the height were to be increased to match that of the elevator override.

VI. COMMUNITY COMMENTS

ANC 2F, at its regularly scheduled meeting of November 6, 2013, voted in support of the application.

A party status application was filed by the owner of 1107 Rhode Island Avenue, N.W., located west of the public alley.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT, in an email to OP dated November 19, 2013, indicated that it had no objections to the parking variances.

Attachment: Location Map

