

SUPPLEMENTAL MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: November 18, 2016

SUBJECT: BZA Case 19153 (1520 and 1524 Independence Avenue SE) for an area variance subject to § 3103.2 from the requirements of § 2101.1 to allow car share parking.

I. BACKGROUND

This application has been before the Board a number of times, but was last considered at the October 4, 2016 public hearing where it was continued to November. In its supplemental report (Exhibit 58), the Office of Planning (OP) recommended that the applicant provide the following:

1. A site plan that identifies all final conditions of the property, including:
 - The final use of each space without flexibility;
 - The final location of all trash/recycling bins; and
 - Turning radius diagrams demonstrating the accessibility of space P6.
2. Confirmation, based on discussion with the Zoning Administrator, of the types and extent of relief needed.
3. Confirmation that:
 - The applicant may pursue the requested relief given the property ownership questions;
 - The owners of parking spaces P3 and P4 are aware of the application to modify their spaces; and
 - The applicant is working with the Condominium Association regarding the requested relief.

The applicant met with the Zoning Administrator on October 17, 2016 to discuss the case. The Zoning Administrator provided confirmation (via e-mail on October 31, 2016) of the findings of the meeting and stated that:

1. The number of required parking spaces is three (3) on each lot; and
2. The code citation that specifies the minimum driveway width, in this case a multi-family residential building, is 12 feet for one-way circulation under ZR58 11 DCMR 2117.8(c)(2).

The applicant had not filed additional information in the record at the time this report was drafted.

II. OFFICE OF PLANNING RECOMMENDATION

OP continues to be **unable to make a recommendation** regarding this request. While the applicant continues to work toward a resolution, there is a great deal of uncertainty regarding the site plan, requested relief, and involvement of property owners, as outlined below.

III. ANALYSIS

Proposed Site Plan

At the public hearing of February 23, 2016, the Board raised questions regarding the number of zoning compliant parking spaces that could be provided within the available area and requested a revised site plan. The provided revised plan alters the dimensions of the parking spaces, although they would still appear to be compliant with the dimensional requirements of either compact or standard spaces, and shifts the boundaries for the parking spaces to the rear of lot 81 to the west so that space P4 is completely located on lot 81. It is unclear if this modification would require a modification to the condominium plat.

Requested Relief

According to the self-certification form, the applicant has requested relief from the following:

1. § 2115.1, Minimum dimensions of standard parking spaces (9 ft. by 19 ft. required, 9 ft. by 19 ft. provided);
2. § 2115.3, Minimum dimensions of compact parking spaces (8 ft. by 16 ft. required, 8 ft. by 18 ft. provided); and
3. § 2115.13, Sufficient access and maneuvering space for vehicles.

Based on discussions with the Zoning Administrator it appears that the following relief request may be more appropriate.

1. § 2101.1, Number of parking spaces (6 required, ? provided);
2. § 2117.8, Drive aisle width (12 feet required, ? provided).

Property Owners

This particular case is complicated by the fact that the parking spaces are accessory to two 12-unit condominium buildings. Capitol Square Condominium Unit Owners Association has provided a statement to the record indicating that the applicant does not have the authority to pursue the requested relief (Exhibit 54). The Condo Association also filed a subsequent Party Status request (Exhibit 60). The owner of parking space 3 also filed comments in the record (Exhibit 61) indicating that additional information is required.

IV. CONCLUSION

Should the BZA wish to continue to consider this application, the applicant should, at a minimum, provide the following to the record:

1. Final request for all types and extent of relief needed.

2. A site plan that clearly identifies the proposed parking layout for the property, including:
 - Parking space and drive aisle dimensions
 - Proposed use of each space (tenant owned/assigned, car share, etc.);
 - Location of all trash/recycling bins; and
 - Turning radius diagrams demonstrating the accessibility of all spaces and trash enclosures.
3. Confirmation that:
 - The applicant may pursue the requested relief given the property ownership questions;
 - The owners of parking spaces P3 and P4 are aware of the application to modify their spaces; and
 - The applicant is working with the Condominium Association regarding the requested relief.