

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



October 29, 2012

Sassan Gharai, Founder
SGA Companies, Inc.
7508 Wisconsin Avenue, 4th Floor
Bethesda, Maryland 20814

Re: 904 Shephard Street NW - Square 2906, Lot 0846 (“Subject Property”)

Dear Sassan Gharai:

This letter responds to your request regarding a proposed project at the subject property referenced above, and memorializes the substance of our meeting of September 28, 2012 in respect of same.

Specifically, your request seeks confirmation of compliance in four areas of zoning restriction:

- (1) increasing the number of units by 25% without increasing the parking requirement;
- (2) decreasing the 4,200 GSF of retail space to 3,000 SF to receive a credit of four parking spaces;
- (3) using the credited four parking spaces for additional residential units;
- (4) the need to comply with Inclusionary Zoning due to additional units.

Property and Project Description

The Subject Property is located within the GA/C-3-A zoning district, and consists of 6,788 ft² of lot area. The Subject Property has street frontages onto Georgia Avenue and Shephard Street, and is located in Square 2906, which is bounded by Shephard Street to the North, Georgia Avenue to the East, Randolph Street to the South and Kansas Avenue to the West. The Subject Property has access to a fifteen (15) foot wide Public Alley to the South.

There is an existing three story brick building with basement already on the property. The building is approximately 35.5’ tall and contains approximately 15,105 SF of gross floor area. The existing building has a mix of residential and retail on the first floor with two more levels of residential above. There is approximately 4,200 SF of retail space and 15 dwelling units. There is presently no off-street parking provided.

The proposed project adds an additional three floors to the existing three story building. Those three floors will consist of six dwelling units per each floor, for a total of 18 additional dwelling units. There will also be a decrease of 1,200 GSF of retail floor area, to then total 3,000 GSF of retail floor area. There will be a total of 31 dwelling units in the whole project. Further, the building's current height (35.5') will be increased to no more than the 70' allowed by the subject GA/C-3-A zoning district.

Finally, the building is proposed to be constructed to a maximum of 32,136 square feet of gross floor area (4.73 F.A.R.), based on the definition of the terms set forth in 11 DCMR § 199.1.

Zoning Compliance Analysis

Increase number of units by 25% without requiring parking

According to § 2100.7, Parking spaces shall not be required for the addition unless the addition increases the intensity of the use of the building or structure by more than twenty-five percent (25%) of the aggregate. Therefore the addition of 3.75 residential units can be added without the need for parking.

Parking space credit due to reduction in retail square footage

Currently, the building has approximately 4,200 GSF of retail floor area, which according to § 2101.1, retail in excess of 3,000 GSF, 1 for each additional 300 GSF and cellar floor area, would require four parking spaces. Those four required parking spaces are not provided on site and are therefore are treated as a grandfathered parking credit. With the reduction of retail floor area to 3,000 GSF, four parking spaces will be credited towards the project.

Use of credited parking spaces for residential units

The use of the four credited parking spaces due to the reduction in retail square footage allows for an additional eight dwelling units, without a parking requirement.

Need to comply with Inclusionary Zoning

Due to the addition of more than 50% of new gross floor area, the project is subject to and must comply with the inclusionary zoning [IZ] requirements set forth in Chapter 26 of DCMR Title 11. The applicability of IZ then allows a FAR bonus density of 20%, to increase the gross floor area from 4.0 FAR, allowable under the C-3-A regulations, to a 4.8 FAR.

Conclusion

In conclusion, the project consisting of 6 stories (3 existing, 3 new) with 3,000 SF of retail (existing) and 31 dwelling units (15 existing) will require the addition of three parking spaces on site. After consideration of the representations made in the meeting of September 28, 2012, including the applicable provisions of the Zoning Regulations, it is my determination that the

proposed project may be constructed as a matter of right, provided that the project plans at the time of filing for a building permit do not substantially deviate from the preliminary plans, except for interior reconfiguration as may be dictated by the demands of other applicable District of Columbia regulations.

Please let me know if I can be of further assistance.

Sincerely, Matthew Le Grant

Matthew Le Grant
Zoning Administrator