

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, AICP, Case Manager  
*J*Joel Lawson, Associate Director Development Review  
**DATE:** February 16, 2016  
**SUBJECT:** BZA Case 19088, 3701 14<sup>th</sup> Street, N.W.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 772.1, Lot Occupancy (60% residential permitted, 62% proposed); and
- § 774.1, Rear Yard (15 feet required, none proposed); and
- § 2101.1, Off-Street Parking (3 spaces required, none proposed).

Subject to the following condition proposed by the applicant:

Issuance at the time of initial sale of each unit a:

1. One-time one-year bikeshare or car share membership, and
2. Preloaded SmartTrip card worth \$60.

**II. LOCATION AND SITE DESCRIPTION**

Address	3701 14 <sup>th</sup> Street, N.W.
Legal Description	Square 2826, Lot 96
Ward	4C
Lot Characteristics	Unusually-shaped corner lot with no alley access and a building restriction line along the 14 <sup>th</sup> Street frontage
Zoning	C-2-A: Medium density commercial
Existing Development	Three-story mixed- use commercial/residential building
Adjacent Properties	North: Mixed use retail/ residential building South: Across Spring Road, apartment building East: Church West: Across 14 <sup>th</sup> Street, commercial uses
Surrounding Neighborhood Character	Moderate density residential with commercial uses along 14 <sup>th</sup> Street

### III. APPLICATION IN BRIEF

The applicant proposes to demolish the existing improvements and construct a new four-story mixed-use building with 1,474 square feet of retail space. Six apartment units, two per floor, would be provided on the floors two through four.

### IV. ZONING REQUIREMENTS and RELIEF REQUESTED

C-2-A Zone	Regulation	Existing	Proposed	Relief
Height § 770	50-foot. max.	30 feet	50 feet	None required
Lot Width	None prescribed	30.7 feet	30.7 feet	None required
Lot Area	None prescribed	3,216 SF	3,216 SF	None required
Floor Area Ratio § 771				
-Nonresidential	1.50 max.	N/A	0.64	None required
-Total	2.50 max.	N/A	2.50	None required
Lot Occupancy § 772.1				
-Commercial	100% max.	34%	62%	None required
-Residential	60% max.	34%	62%	<b>Required</b>
Rear Yard § 774.1	15-foot. min.	N/A	None	<b>Required</b>
Side Yard § 775	None required	N/A	None	None required
Parking § 2101.1	1/2 apts. or 3 spaces	None	None	<b>Required</b>
GAR	0.30 min.	N/A	0.32	None required

### V. OFFICE OF PLANNING ANALYSIS

#### a. Variance Relief from § 772.1, Lot Occupancy

##### i. Exceptional Situation Resulting in a Practical Difficulty

As a result of the width and shape of the property and the need to provide two sets of stairs and an elevator, core features would account for approximately 21 percent of the building. Generally, core features account for no more than 15 percent. The need to have to dedicate a greater proportion of the building to core features results in a practical difficulty in meeting lot occupancy.

##### ii. No Substantial Detriment to the Public Good

The increase in the residential lot occupancy would facilitate the efficient design of the building with two sets of stairs in conformance with the building code, an elevator to allow for the provision of one accessible unit in conformance with ADA, while also providing appropriately designed dwelling units.

##### iii. No Substantial Harm to the Zoning Regulations

The increase in lot occupancy is small and would allow the applicant to design a modern building in conformance with the building code.

**b. Variance Relief from § 774.1, Rear Yard**

**i. Exceptional Situation Resulting in a Practical Difficulty**

Due to the unusual shape of the property and the BRL across the Spring Street frontage, the buildable area of the lot is narrow. The width of the lot at its narrowest, along the 14<sup>th</sup> Street frontage, is 14 feet, 10 inches, widening out to a maximum of 40.5 feet. The properties on either side are built to the common lot lines, with no windows or other openings facing the subject property. The provision of a 15-foot rear yard adjacent to the church to the east would result in a long, narrow space that would dead-end into the side wall of the adjacent building to the north.

**ii. No Substantial Detriment to the Public Good**

The provision of no rear yard would allow the applicant to continue the existing street wall along 14<sup>th</sup> Street around the corner to the public alley on the east side of the church, without the creation of a long, closed narrow space. The space would not contribute positively to the streetscape.

**iii. No Substantial Harm to the Zoning Regulations**

Elimination of this rear yard would allow the applicant to utilize the buildable area of the lot more efficiently while creating an active street wall across the entire Spring Street frontage. A rear yard to provide separation between buildings is not necessary because of the shape of the lot.

**c. Variance Relief from § 2101, Off-Street Parking**

**i. Exceptional Situation Resulting in a Practical Difficulty**

The subject property is too narrow and too small in area to allow for below-grade parking, or for the provision of above-grade parking without reducing the size of the building. Lot width is further impacted by the presence of a 15-foot deep building restriction line along the 14<sup>th</sup> Street frontage, reducing the area available for parking, either above or below grade. Lack of alley access further restricts vehicular access to property, as any vehicular access would have to be from the Spring Street side of this corner lot. The combination of these features of the property results in a practical difficulty.

**ii. No Substantial Detriment to the Public Good**

Any provision of off-street parking for this site would require a curb cut and the elimination of on-street parking in exchange for off-street parking. The site has a Walk Score<sup>1</sup> of 92 and a transit score of 80, indicating excellent transit, minimizing the need to depend on private automobiles.

The Georgia Avenue/Petworth Metrorail station is 0.4 miles from the subject property.

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<sup>1</sup> www.walkscore.com

### **iii. No Substantial Harm to the Zoning Regulations**

The applicant proposes a Transportation Demand Management (TDM) Plan to mitigate impacts of the requested variance. The TDM plan includes the issuance of a one-time one-year bikeshare or car share membership and a preloaded SmartTrip card worth \$60 at the time of initial sale, fostering alternatives to private cars and reducing the demand for on-street parking.

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments were received from other District agencies.

## **VII. COMMUNITY COMMENTS**

The applicant informed OP that ANC 4C, at its regularly scheduled meeting of February 10, 2016, voted to support the application.

ANC 1A, located south of the subject property and across Spring Street, voted in support the application at its regularly scheduled meeting of February 10, 2016.

Thirteen letters were submitted to the file in opposition.

Two letters were submitted to the file in support.

Attachment: Location Map

