

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13267, of Century Financial Corporation, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for special exceptions under Paragraph 3105.42 and Sub-section 3307.2 to allow a subdivision and new residential development comprising a group of thirty-two flats and ninety-six row dwellings, to allow a group of flats and row dwellings with division walls from the ground up be deemed a single building and a variance from the prohibition against allowing required accessory parking in front of a dwelling (Paragraph 7205.12) in an R-5-A District at the premises 1800-1912 Bryant Street, 1801-1915 Channing Street and 2401-2435 - 18th Street, N.E., (Square 4112; Lots 1, 2, 8-15, Square E-4112, Lots 1-8; Square W-4112, Lots 1-12 and 800).

HEARING DATES: June 18 and July 23, 1980
DECISION DATE: September 3, 1980

FINDINGS OF FACT:

1. The subject property is located in the blocks bounded by Channing, Bryant, 18th and 20th Streets, N.E. It is in an R-5-A District.
2. The site consists of 4.095 acres, and is rectangular in shape. Except for one large detached single family dwelling and accessory buildings, the site is wooded and undeveloped.
3. The applicant proposes to subdivide the property and construct a new residential development on the site to be known as Channing Courts. The proposed development would contain sixty four row dwellings and thirty-two flats, for a total of 128 dwelling units.
4. The subject site is bisected by the right-of-way of 19th Street, N.E. which has not been constructed. The applicant has applied to the District of Columbia to close 19th Street to consolidate the property into one developable parcel.
5. The applicant proposes to construct twelve clusters of eight units each. The two westernmost clusters are parallel to and front on 18th Street, S.E. The remaining ten clusters face on pedestrian circulation areas within the development. All of the clusters are either parallel or perpendicular to the streets.

6. The site will be bisected by two major pedestrian circulation spines, one running north-south, the other running east-west. There will be a five foot high brick wall along the Channing and Bryant Street sides, and a six foot wood stockade fence separating the proposed development from the adjoining homes to the east.

7. On site parking will be provided for 128 cars, a ratio of one space for each dwelling unit. There will be four parking areas, each containing thirty-two spaces. Access to the parking spaces is from either Bryant or Channing Streets.

8. The project will have two building types, each of which will be 16' 8" wide. The "A" type unit is the flat and will contain three stories. The first story will contain a dwelling unit consisting of living/dining room, kitchen, bath and one bedroom. The second and third floors will be a second dwelling unit. The second floor will contain a living room, dining room, kitchen and powder room, while the third floor will contain three bedrooms and one bath. The second floor will also have a balcony off the living room at the front and a deck off the dining room at the rear. The "A" unit will be designed so that the first floor unit can be converted to become a part of the main unit. The "B" type unit contains only one dwelling unit and is only two stories. It is almost identical to the upper two floors of the "A" unit. Neither unit will have a basement.

9. The three story "A" units are located in the center of the site. The two story "B" units are closest to the street and the adjoining property.

10. The Lutheran Home occupies property across Channing Street to the north and owns property across 18th Street to the west which is vacant. Across Bryant Street to the south are an office supply warehouse and a lock company, both in the C-M-1 District. Abutting the site to the east are five single family detached dwellings which front on 20th and Bryant Streets.

11. The application requests a special exception under Sub-section 3307.2 to allow a group of buildings with division walls from the ground up to be considered one building. Under this provision, the ninety-six buildings would be considered as twelve buildings.

12. The Regulations require that parking spaces be located in the side or rear yards of dwellings. Due to the application of Section 3307, the parking areas are located in the front yards of certain groups of buildings. A variance is thus required. The Board finds, however, that even though for zoning purposes the parking spaces are in front of the buildings, the spaces are located behind the functional rear of the buildings, since the front faces the interior pedestrian court

13. The application further requires a special exception under Paragraph 3105.42. Pursuant to that Paragraph, the application was referred to the Board of Education, the Department of Housing and Community Development, the Department of Transportation and the Office of Planning and Development.

14. No report was received from the Board of Education.

15. The Department of Housing and Community Development, by memorandum dated June 4, 1980, reported that Loomis Park and the Langdon Recreation Center, Langdon Elementary School, and the Woodbridge Branch of the D.C. Public Library, are all within three blocks of the parcel and a METRO Station at Rhode Island is about a mile from the parcel. Local shopping is located along Rhode Island Avenue. The residential neighborhood to the northeast and northwest of the parcel is a mixture of walk-up apartments, row dwellings, and single family dwellings, providing a residential environment that the proposed development will enhance. Therefore, the Department reported that the proposed development can be considered as compatible with its surroundings and well served by existing facilities. It should not have an adverse impact on any public facilities. The Department noted that the proposal is consistent with the objective of providing housing for moderate to middle income families as part of an overall policy objective of providing housing for families of all income levels. The Department had no objection to the granting of this application and supported favorable action by the Board of Zoning Adjustment. The Board concurs with the findings and recommendations of the Department.

16. The Office of Planning and Development, by memorandum dated June 17, 1980 and by testimony at the hearing, reported that the proposed residential development satisfactorily takes into account the requirements of Sub-Paragraph 3105.423 of the Zoning Regulations which relate to the arrangement of buildings and structures, light, air, recreation and grading. To further insure the future residents of the project and neighborhood of an aesthetically pleasing environment, the OPD recommended that the applicant submit details and siting plans for exterior landscaping, furniture,

paving materials, exterior light fixture types, trash dumpster locations and buffering. The OPD was of the opinion that the requested variance to locate the accessory parking in front of a dwelling will not cause substantial detriment to the public good or impair the purpose and integrity of the Regulations. In summary, the OPD recommended approval of this application with the aforementioned conditions. The Board finds that the detailed material requested by the OPD was submitted. The Board further concurs with the recommendations of the OPD.

17. The Department of Transportation, by memorandum dated July 28, 1980, reported that Eighteenth Street, a two way minor arterial with a forty foot roadway, is striped with only a center line. It carried approximately 8700 vehicles on an average weekday in 1979. A sidewalk is provided on the east side of Eighteenth Street adjacent to the proposed development. Bryant Street, a local street, has a low cost surface approximately thirty feet wide. There is no curb on the north side of Bryant Street adjacent to the site. There is a short section of sidewalk on the north side, running westward from Twentieth Street, to serve the one residence abutting the southeast corner of the site. Channing Street, on the north, is not continuous between Eighteenth and Twentieth Streets. For approximately 200 feet eastward from Eighteenth Street, it has a twenty foot wide low cost surface to serve the National Lutheran Home on the north side of the street. A variable width low cost surface extends westward from Twentieth Street. The applicant does not propose to make Channing Street continuous between Eighteenth and Twentieth Streets.

18. The Department of Transportation further reported that because of the limited attraction of the existing transit service it anticipated that approximately fifty vehicle trips will be generated in the peak direction during each peak hour. This traffic will need to reach Eighteenth Street to distribute toward its destination. Regardless of the direction this traffic elects to take, the fifty additional peak hour vehicles will not create a measurable adverse impact on the level of service on Eighteenth Street, or at any of the nearby intersections, which now operate in the A and B range. The Department reported that it expected that the parking demand of the development will exceed the on-site supply because of multi-automobile ownership by some residents and the need for visitor parking. However, this excess demand can be accommodated when the improvements recommended by the Department are constructed. Over thirty spaces will be available on the north side of Bryant Street and both sides of Channing Street. About fifteenth spaces are also available on the east side of Eighteenth Street except during the evening peak period.

19. The Department of Transportation recommended that the approval of this application be contingent upon the following:

- a. The applicant will construct totally at his expense, in accordance with the Department's specifications and grades and subject to the Department's approval, curbs, gutters, drainage structures, and sidewalk on the north side of Bryant Street, N.E., between Eighteenth and Twentieth Streets, N.E.
- b. The applicant will construct totally at his expense, in accordance with the Department's specifications and grades, and subject to Department approval, curbs and gutters, drainage structures and sidewalk on both sides of Channing Street, N.E., between Eighteenth Street, N.E., and the driveway for the development's easternmost parking lot. The applicant will also construct a cul-de-sac turnaround at the resulting dead end of Channing Street.

The Department expected the applicant to coordinate the planning and implementation of these street improvements with the Department. Measures to preclude or mitigate potential special drainage problems identified to occur as a result of these improvements and the development will be the responsibility of the applicant. The Board concurs with all of the findings and recommendations of the Department.

20. Advisory Neighborhood Commission - 5B, by letter dated June 18, 1980, reported that it had no objection to the granting of the requested variance to build Channing Courts.

21. Two individuals appeared at the hearing on the application to express concerns over the effects of the proposed development. The owner of the property at 2410 - 20th Street noted that her property was currently affected by water drainage across the subject property. That drainage problem originates on the Lutheran Home property. The architect for the applicant testified that the proposed development will not add to the water runoff, and due to the site grading and drains in parking areas, could well act to alleviate the problem.

22. The resident of 2400 - 20th Street was concerned about parking demands generated by the proposed development. The Board notes the report of the Department of Transportation on this matter, as set forth in Finding of Fact No. 18.

CONCLUSIONS OF LAW AND OPINION:

The applicant is seeking two special exceptions and a variance. In order for the two exceptions to be granted, the applicant must demonstrate that it has complied with the requirements of Paragraph 3105.42 and Sub-section 3307.2 and 8207.2 of the Zoning Regulations. Based on the findings of fact and the evidence of record, and noting particularly the reports of the Office of Planning and Development, the Department of Housing and Community Development and the Department of Transportation, the Board concludes that the applicant has so complied.

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board notes that the applicant has created a superior site plan, concentrating the higher buildings at the center of the site, and separating pedestrian and vehicular circulation patterns. The Board concludes that requiring the applicant to relocate the parking spaces to the rear of the building would create a practical difficulty for the applicant. The Board further notes that due to the design of the site, the front of the buildings for zoning purposes is actually the functional rear of the building. The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps.

The Board further concludes that the special exceptions can be granted as in harmony with the general purpose and intent of the zoning regulations and maps and will not tend to affect adversely the use of neighboring property in accordance with said regulations and maps. It is therefore ORDERED that the application is GRANTED, SUBJECT to the following CONDITIONS:

1. The applicant will construct totally at his expense, in accordance with the Department of Transportation's specifications and grades and subject to the Department's approval, curbs, gutters, drainage structures, and sidewalk on the north side of Bryant Street, N.E., between Eighteenth and Twentieth Streets, N.E.
2. The applicant will construct totally at his expense, in accordance with the Department's specifications and grades, and subject to Department approval, curbs and gutters, drainage structures, and sidewalk on both sides of Channing Street, N.E., between Eighteenth Street, N.E., and the driveway for the development's easternmost parking lot.
3. The applicant will also construct a cul-de-sac turnaround at the resulting dead end of Channing Street.

VOTE: 3-0 (Connie Fortune and Charles R. Norris to GRANT; William F. McIntosh to GRANT by PROXY; Walter B. Lewis not voting, not having heard the case; Leonard L. McCants not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 30 SEP 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.