

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



December 6, 2010

By US Mail and Emailed PDF

Ms. Allison Prince, Esq.  
Goulston & Storrs  
2001 K Street NW, 11th Fl.  
Washington, DC 20006

RE: 1459 Columbia Road NW (Sq. 2672, Lot 718)

Dear Allison:

This letter confirms the issues we discussed on November 18, 2010 for the proposed project at Calvary United Methodist Church, located at 1459 Columbia Road NW which is located in the R-5B zoning district, and illustrated in the Attached plan. During this meeting we discussed the project's rear yard, loading facilities, and exemption from Inclusionary Zoning.

After considering the intent of 11 DCMR § 404.4, I have concluded that your proposed project may maintain the existing building footprint that extends into the required rear yard. Because your proposed project does not completely raze the existing structure by maintaining the principal sanctuary and reduces some of the present encroachment into the required rear yard, your vested right to the existing building footprint will be maintained. Accordingly, you may construct the proposed addition to match the rear footprint of the portion of the existing structure that you will demolish and replace, and the proposed addition may be taller than the existing structure to be replaced, within the R-5-B height limit.

Based on the number of residential units you are proposing for the addition, you are required under 11 DCMR § 2201.1 to provide adequate loading facilities. As long as the project provides the required loading facilities, it is unnecessary for you to seek variance relief from the Board of Zoning Adjustment. The alley system leading to the property may be difficult for a 55-foot truck to navigate; nonetheless, since you have demonstrated to that such a truck can maneuver in and out of the loading berth from the adjacent alley, your project will comply with the loading requirements in § 2201.1.

I understand that the original church public sanctuary plus additions were all constructed prior to 1958 and that there is no off-street parking provided on site. Accordingly, the site has a number of parking "credits" associated with it. At the time the current Zoning Regulations were adopted in 1958, the required parking for a church was one (1) space for every 10 seats in the

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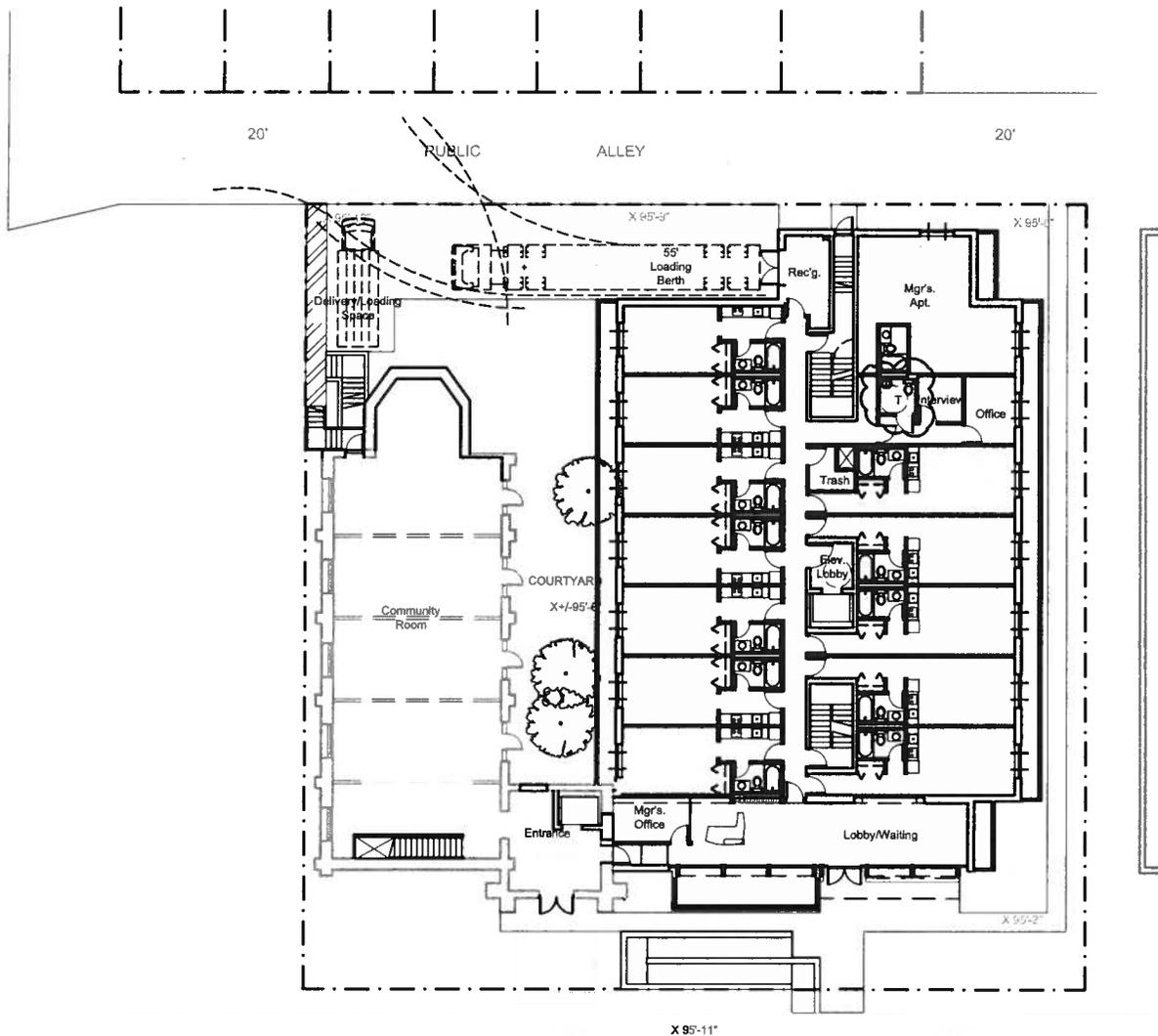
main sanctuary. Since the main sanctuary has plans that allow for 438 seats, the site has 44 parking "credits." Unless the required parking, under 11 DCMR § 2101.1, for your project exceeds 44 spaces, you do not need to provide any off-street parking on the site.

Finally, your proposed project for an all-affordable residential apartment building is exempt from the requirements of Inclusionary Zoning ("IZ") under 11 DCMR § 2602.3(f), provided that certain requirements are met. This exemption is contingent on the project receiving some District or federal funding. In addition, the project must meet the following requirements to be exempt from IZ: at least 80% of the units must be for families earning equal to or less than 80% of the Area Median Income; the maximum rent for units must be equal to or less than that established by the Mayor for units that would otherwise be subject to IZ; the affordable units must remain affordable as described above for at least 30 years; and a covenant stating the above obligations must be recorded against the property.

Sincerely, Matthew LeGrant

Matthew LeGrant, Zoning Administrator

Attachment – 1<sup>st</sup> Floor Plan



Concept Alternative 1st Floor Plan