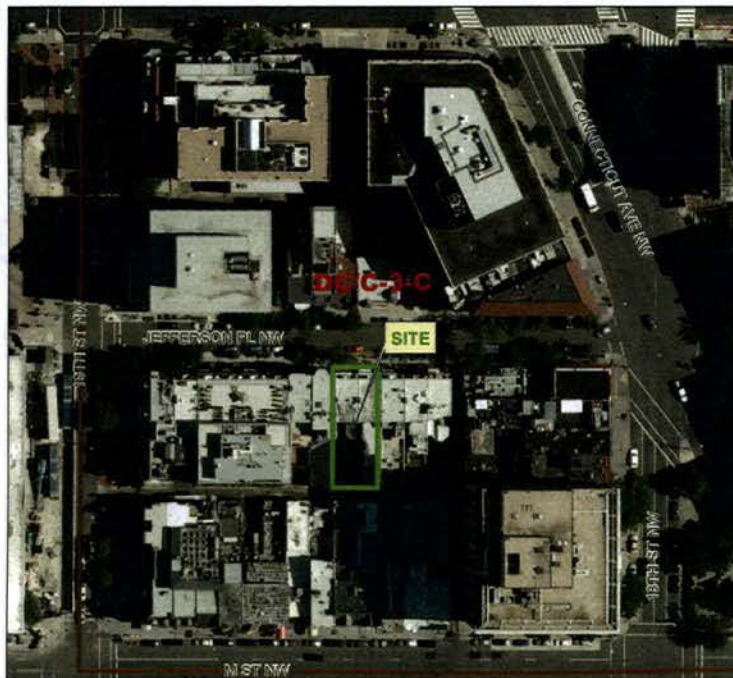


**MEMORANDUM**

TO: District of Columbia Board of Zoning Adjustment
FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation
DATE: May 11, 2010
SUBJECT: BZA Case No.18064, 1820-22 Jefferson Place, N.W. (Square 139, Lot 75)

**I. SUMMARY RECOMMENDATION**

The application requests special exceptions to waive rear yard and parking requirements of the Zoning Regulations, pursuant to 11 DCMR § 3104, in order to permit the construction of a rear addition to an existing office building in the DC/C-3-C zone district.

OP recommends:

- **Approval** of the special exception for relief from the rear yard setback requirements, pursuant to § 774.2; and
- **Approval** of the special exception relief request from the parking requirements, pursuant to § 2120.6,

provided the applicant demonstrates compliance with the requirements of 2120.6 (a) and (b).

Figure 1. Location Map

II. SITE AND AREA DESCRIPTION

Address:	1820-22 Jefferson Pl., NW Washington, DC
Legal Description:	Square 139, Lot 754
Ward:	2, ANC 2B
Lot Characteristics:	Flat, rectangular lot [40' (w) x 106' (d)]; slopes 4 feet from front to rear. 10.38 foot alley at rear.
Existing Development:	• Two 3-story row-connected houses converted to commercial uses, with 8,244 total GFA • One and two-story dependencies in rear. • Tandem parking for up to six vehicles.
Zoning:	DD/C-3-C
Historic District	Property is contributing structure to Dupont Circle Historic District.
Adjacent Properties:	Similar row houses converted to commercial or professional uses.

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Neighborhood Character:	The block is used for offices, professional services, restaurants, and residential condominiums. The south side is primarily 2 and 3 story converted townhouses, with a three-story commercial structure at Connecticut Avenue. The residential condominium at 1828-34 Jefferson Place has massing similar to what the applicant is requesting: two combined townhouses in the front, with a six-story addition on the rear and 100% lot occupancy on the first two stories. The remainder of the Square contains 3 and 4 story commercial structures, and a 12 story office building. The north side of the street has four converted rowhouses, a two-story commercial structure at Connecticut Avenue, and an 8 story office buildings at 19 th Street. The remainder of the square contains two nine-story office buildings.
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III. APPLICATION IN BRIEF:

The applicant wishes to:

- Preserve 39 feet (full depth) of the original 41 foot-high, 3-story+basement buildings;
- Construct a seven story addition behind and incorporating the existing buildings. The addition would measure 61 feet high for zoning purposes and 65 feet above the rear alley.
- Construct three legal parking spaces within the proposed building.

The proposed end-result is best seen on Sheet A-105 of the applicant's plans.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

Item: DC/C-3-C Zoning	Max. Permitted/Min. Required	Existing	Proposed	Change	Relief Needed
Lot Area (sq. ft.)	n/a	4,240	n/a	n/a	n/a
Lot Width (ft.)	n/a	40'	n/a	n/a	n/a
Lot Depth	n/a	106'	n/a	n/a	n/a
Alley Width	n/a	10.38'	n/a	n/a	n/a
Height	90'	41'	61'	+20'	none
FAR	6.5	1.8	4.1 ¹	+2.3	none
Lot Occupancy	100%	2,483 SF	3,855 SF	+ 1,372	n/a
Gross Square Feet		8,244	20,830	+17,929 GSF	n/a
Rear Yard §. 774.1; §§774.3 & 774.6 for Special Exception	≥ 12 or 2.5"/ft. of height as measured from center of alley. Not required for 1 st 20' above mean rear grade	30'	0'	-30'	12' above 20'; i.e. 100% as a Special Exception
Parking, § 2101 §§3104 & 2120.6 for Special Exception	9, by §§ 2120.3, 2101.2	3 legal + 3 stacked	3	-3	6', i.e. 66% as a Special. Exception
Loading Berths	Not required.	none	none	None	n/a

IV. OFFICE OF PLANNING ANALYSIS

A. Waiver of Rear Yard Setback Requirement by Special Exception

774.3 *Apartment and office windows shall be separated from other buildings that contain facing windows a distance sufficient to provide light and air and to protect the privacy of building occupants.*

¹ This corrects the figure shown in the table on the application form.

- 774.4 *In determining distances between windows in buildings facing each other, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be sufficient to provide adequate light and privacy to the rooms.*



The proposed addition is permitted to occupy 100% of its lot for the first 20 feet of height. Above that, a 12 foot yard is required, for which the applicant is seeking relief. The addition would have windows on the property line and would be 10.38 feet across an alley from two buildings fronting on M Street, N.W. 1819 M Street is a four story commercial building, with an uncompleted addition that is built to the property line on the first two stories, set back 12 feet at the second story, and is windowless on all but the third floor, where it has an opening for one window. 1821 M Street is a two-story commercial building constructed to the rear property line, with storage and no windows in the rear. The proposed rear windows in the applicant's addition are on the north side of the alley, would not face any residential windows and would not impact the privacy of any habitable rooms in the buildings to the south. The proposed addition should not significantly impact the light or air for other buildings.

Figure 2. Buildings on south side of alley, behind applicant's site

- 774.5 *The building plan shall include provisions for adequate off-street service functions, including parking and loading areas and access points.*

The applicant is requesting parking relief for the addition. As an addition to a historic structure, the proposed construction has no loading requirements.

- 774.6 *Upon receiving an application for an approval under § 774.2, the Board shall submit the application to the D.C. Office of Planning for coordination review, report, and impact assessment, along with reviews in writing of all relevant District of Columbia departments and agencies including the Departments of Transportation and Housing and Community Development and, if a historic district or historic landmark is involved, the State Historic Preservation Officer.*

The application has been reviewed by the District Department of Transportation (DDOT) and the staff of the Historic Preservation Review Board. In e-mail responses to OP, neither office expressed problems with the application. OP is not aware of a response from the Department of Housing and Community Development.

B. Parking Relief by Special Exception

2120.3 *A historic resource and any additions thereto are exempt from the requirement of § 2100.4 to provide additional parking as a result of a change of use and from the requirement of § 2100.6 to provide additional parking as a result of an increase of intensity of use, except that parking shall be required for any addition where:*

- (a) *The gross floor area of the historic resource is being increased by 50% or more, and*

The floor area would be increased by over 100%.

- (b) *The parking requirement attributable to the increase in gross floor area is at least four (4) spaces.*

Nine parking spaces would be required.

2120.4 *Any parking provided for a historic resource in excess of that which existed at the time the historic resource was listed in the District of Columbia Inventory of Historic Sites or the historic district was created shall be exempt from § 2115, and §§ 2117.5 and 2117.6.*

2120.5 Parking spaces provided for a historic resource shall be a minimum of eight feet (8 ft.) in width and sixteen feet (16 ft.) in length exclusive of access drives, aisles, ramps, columns, and office and work areas. All required parking spaces shall be clearly striped and lined. Durable all-weather materials shall be used. Striping shall be maintained for as long as the parking spaces requiring the striping are in existence.

The proposed parking spaces would meet the minimum dimensional requirements noted in this section.

2120.6 The Board of Zoning Adjustment may grant relief from all or part of the parking requirements of this section if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking will result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. The Board shall grant only the amount of relief needed to alleviate the difficulty proved. The applicant shall also demonstrate compliance with the general special exception standard set forth in § 3104 and shall address each of the following criteria as part of its presentation to the Board:

The applicant proposes retaining 100% of the historic structures, and would be unable to do that while meeting parking requirements without either (1) extensively underpinning the historic structures and those adjacent to them to provide underground parking, or (2) increasing the height of the proposed addition by two to three floors in order to accommodate the required parking above ground. The additional excavation and underpinning would put the historic structures at risk, and the additional height would significantly impact the appearance of the historic buildings on Jefferson Place, as was reflected in an earlier HPRB staff opinion..

(a) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

The applicant has not yet addressed this.

(b) Amount of traffic congestion existing and/or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;

The applicant has not estimated the amount of traffic to be generated by the approximately 18,000 square foot addition. To date, DDOT has not indicated concerns with the proposal.

(c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and...

Several nearby office buildings offer underground parking to the public on an hourly, daily or monthly basis. The nearest public garage is less than ½ block away, at 19th and Jefferson Streets. On-street parking is fully metered. Up-coming changes in parking rates are intended to ensure greater availability of shorter-term on street parking. Jefferson Street is one-way westbound and has no peak hour parking restrictions.

(d) Proximity to public transportation, particularly Metrorail stations, and availability of either public transportation service in the area, or a ride sharing program approved by the District of Columbia Department of Transportation.

The property is a five minute walk from two Metro red line stations, and a 10 minute walk from a Metro blue/orange line station. It is also convenient to bus lines on Connecticut Avenue and K Street.

2120.7 Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

See Section VI below.

C. Compliance with § 3401.1

The Special Exceptions will be in Harmony with the Purpose & Intent of Zoning Regulations and will not tend to Adversely Affect the Use of Neighboring Property

The proposed addition would be used for purposes permitted as a matter of right in the zone. The height would be approximately 24 feet less than the zone permits, and the FAR would be 1.5 less than is allowed as a matter of right. DDOT has not found the requested parking relief to be unacceptable. The height will not obstruct the views or privacy of neighboring properties. The design has received favorable comments from HPRB staff.

The requested special exceptions would be consistent with the criteria of this section.

V. COMMENTS OF OTHER DISTRICT AGENCIES

The application has been referred to the District Department of Transportation (DDOT) and to the Historic Preservation Review Board. DDOT staff has indicated the requested parking reduction would be acceptable, given the location's proximity to several Metrorail and Metrobus lines. HPRB staff has given the applicant positive feedback on the concept for its plans.

VI. COMMUNITY COMMENTS

OP is not aware of any comments having been filed.

The applicant will present the application for zoning relief to ANC 2B on May 12, 2010. The historic preservation committee of the ANC had previously voted to support an earlier version of the project, with one more floor than is now proposed.

JS/slc
Stephen Cochran, AICP, project manager