

**MEMORANDUM**

2011 NOV 22 PM 1:53

TO: District of Columbia Board of Zoning Adjustment

FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review

DATE: November 22, 2011

SUBJECT: BZA Case 18284 – 2055 L Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 774, Rear Yard (22.70 feet required, 18.75 feet proposed); and
- § 2101.1 Off-Street Parking (121 spaces required, 79 spaces proposed).

II. LOCATION AND SITE DESCRIPTION

Address	2055 L Street, N.W.
Legal Description	Square 100, Lot 121
Ward	2
Lot Characteristics	Rectangular corner lot with alley access
Zoning	C-3-C: High density community business center commercial district Downtown Development Overlay: To guide and regulate office development
Existing Development	7-story building with switch gear equipment and related office space
Adjacent Properties	8 to 10-story office buildings with ground level commercial space
Surrounding Neighborhood Character	Commercial business district

III. APPLICATION IN BRIEF

The applicant proposes to construct an eighth floor onto a seven-story building consisting of Verizon switch gear and related office space through the use of Transfer Development Rights (TDRs). The site is eligible to receive TDRs because it is located within the New Downtown receiving zone of the Downtown Development Overlay District.

The addition of the eighth floor would increase the height of the building and the FAR. As a result of the increase in building height the existing rear yard, the required depth of which is based on the height of the building, would become nonconforming. Mechanical equipment, currently located on the roof within a mechanical penthouse, would now be located on the eighth floor and within the building.

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18284EXHIBIT NO. 29

	1964	2011 Proposal
Office	175,244	157,874
Switch Gear Equipment	53,096	94,193
Other Mechanical Equipment	0	5,857
TOTAL	228,340	257,924

Off-street parking is provided within a two-level garage below the building. The applicant has been unable to locate any records indicating how many parking spaces were required at the time of construction, or at what rate the switchgear equipment was parked. As a result the applicant is unable to determine how many parking spaces are required for the original building and instead proposes to park the building using current standards. The garage does comply with the minimum aisle width required in 1964, fourteen feet, based on the location of the columns.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

C-3-C Zone	Regulation	Existing	Proposed	Relief
Height §§ 770 and 1709.21	110 ft. max.	88 ft., 2 in.	108 ft., 4 in.	None Required
Floor Area Ratio §§ 771 and 1709.21	9.0 max.	6.34	7.16	None Required
Lot Occupancy § 772	100 % max.	98 %	98 %	None Required
Rear Yard § 774	22.70 ft. min.	18.75 ft.	18.75 ft.	Required
Side Yard § 775	None prescribed	None	None	None Required
Parking Spaces § 2101.1	121	79 standard 22 compact	79 standard 22 nonconforming compact	Required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 2101, Off-Street Parking

i. Exceptional Situation Resulting in a Practical Difficulty

The existing building was constructed in 1964 in conformance with the zoning regulations in effect at the time. A two-level parking garage was constructed beneath the building, providing off-street parking. This garage has been re-striped over the years and no record exists documenting how many parking spaces were initially required. The existing parking layout cannot be grandfathered because compact parking was not permitted in 1964. Seventeen-foot, ten-inch wide aisle widths were provided, as was permitted at the time, documented by the spacing of the columns. Seventy-nine standard and twenty-two compact parking spaces exist today.

None of the existing spaces conform to current aisle width requirements. However, ninety-degree compact parking spaces were never permitted with aisle width less than twenty-feet in width, as were standard spaces. Therefore, the compact spaces cannot be used to satisfy the off-street parking requirement.

The exceptional situation resulting in a practical difficulty results from the inability of the applicant to grandfather in the existing parking layout, or to provide additional parking on-site.

ii. No Substantial Detriment to the Public Good or Zone Regulation

The applicant proposes to use the 22 compact parking spaces to supplement the on-site parking needs of the building, even though these spaces cannot be counted as required spaces. These spaces would conform to the minimum dimensional requirements for compact spaces, eight feet by sixteen feet. The applicant also submitted a parking study as a part of the application indicating that the parking demand for the switch gear equipment within the building would be between five and ten spaces, and not the 31 required by the Zoning Regulations, reducing the demand for on-site parking.

The site is also easily accessible by public transit. It is located approximately three blocks from the Farragut North Metrorail station (Red Line) and approximately four blocks from the either Farragut West Metrorail or GWU/Foggy Bottom Metrorail stations (Blue/Orange lines). Six Metrobus lines serve the site on either L Street or 21st Street, and additional bus service is provided one block south on K Street, including the DC Circulator.

The combination of the reduced demand for switch gear parking at this particular site, the ability to utilize compact parking spaces to satisfy some of the off-street parking needs of the building and the proximity to public transportation would result in no substantial detriment to the public good or the Zoning Regulations.

b. Special Exception Relief pursuant to § 774, Rear Yard

i. The Board of Zoning Adjustment may waive the rear yard requirements subject to the following criteria:

- 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.*

The subject property and the adjacent property to the rear would contain windows separated by a minimum distance of 18.75 feet, more than many alleys and adequate to provide privacy to and light and air into the buildings. The existing distance between the two buildings for the second through seventh floors is 18.75 feet and that would not change with the addition of the proposed eighth floor. In addition, both buildings are improved ventilation systems and artificial lighting, minimizing any impact that could result from the relief requested.

- 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 subject property provides office and equipment space only. As there is no residential use within the subject building or the adjacent building, there are no habitable rooms, as defined by Section 199 of the Zoning Regulations. Therefore, this criterion is not applicable to this application.

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

Assuming the parking variance that is a part of this application is granted by the Board, adequate parking would be provided. The existing loading facilities are adequate to serve the building, including the proposed addition, and the access to the parking and loading facilities would remain unchanged.

- 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.*

DDOT indicated to the Office of Planning that it had no concerns with the application. No comments were received from DHCD, and the site is not located within a historic district and is not a historic landmark

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The subject application is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. It would allow for the expansion of the switch gear equipment aspect of the subject building, necessary to service the area, while also ensuring that the office aspect of this building, a desirable use within a downtown commercial business district, also continues as permitted within the C-3-C and Downtown Development Overlay District.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal to reduce the rear yard would allow for the addition of an eighth floor, making the subject property more similar to the adjacent properties for height. It would also allow for new office space within the building, consistent with the surrounding office buildings. Therefore, the proposal would not adversely affect the use of neighboring properties

VI. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT informed the Office of Planning that it has no concerns with the subject application.

No other agency comments were received.

VII. COMMUNITY COMMENTS

ANC2A, at its regularly scheduled meeting of October 19, 2011, voted in support of the application.

No other comments were received.

Attachment: Location Map

