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Outline of Testimony before the Board of Zoning Adjustment

BZA Application No. 18284
2055 L Street, N.W.

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November 29, 2011

- I. Site location and description
 - A. Location
 - 1. Northeast corner of the intersection of 21st and L Streets, N.W.
 - 2. Project site consists of Lot 121 in Square 100
 - 3. Site located in the Golden Triangle area of the Central Employment Area
 - B. Size
 - 1. Site area is approximately 36,002 square feet
 - 2. Mostly rectangular site, missing a portion where a public alley extends into the site
 - 3. Approximately 203 feet of frontage on L Street and 178 feet of frontage on 21st Street
 - C. Existing site condition: improved with a 7 story building devoted to switch gear equipment and office space for Verizon
- II. Description of surrounding area (see aerial photo, attached)
 - A. Golden Triangle area
 - B. Immediate area contains predominantly high-rise structures devoted to office use

NOV 29

BOARD OF ZONING ADJUSTMENT

District of Columbia

Board of Zoning Adjustment
District of Columbia
CASE NO. 18284
EXHIBIT NO. 31
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C. Remainder of Square 100

1. To the east along L Street:
 - a. Office building at 2021 L Street (110 feet)
 - b. Office building at 2001 L Street (110 feet)
2. To the north along 21st and 22nd Streets:
 - a. Office buildings at 1133 and 1155 21st Street and 1120 20th Street (110 feet)
 - b. Office buildings at 2000 and 2030 M Street (90 feet)
 - c. CBS TV offices at 2020 M Street (3 stories)

D. Other uses within 500 feet:

1. To the west:
 - a. Office building at 2101 L Street (110 feet)
 - b. Office building at 2120 L Street (90 feet)
 - c. Apartment houses at 1101 and 1117 New Hampshire Avenue (90 feet)
 - d. Hotels at 1129 and 1143 New Hampshire Avenue (90 feet)
2. To the south:
 - a. Office buildings at 2000 L Street and 2001, 2021 and 2023 K Street (90 feet)
 - b. Office building at 2100 L Street for the Humane Society (5 stories)
 - c. Former Stevens School at 1026 21st Street (4 stories)
 - d. Office buildings at 1999, 2001 and 2121 K Street (130 feet)
3. Uses to the east: office buildings at 1920 L Street, 1111 and 1129 20th Street and 1900 and 1901 L Street (90 feet)
4. Uses to the north:
 - a. Office buildings at 1133 20th Street and 1990 M Street (90 feet)

- b. Office building at 2106 M Street (90 feet)

III. Existing zoning:

A. C-3-C

- 1. Uses (§§741 – 744)
 - a. Commercial use permitted as a matter-of-right, including retail, service and office use
 - b. Hotel and inn
 - c. Residential use permitted as a carry-over from the Special Purpose and Residential Districts
- 2. Height - maximum of 90 feet (§770.1)
- 3. Density - maximum of 6.5 FAR (§771.2)
- 4. Rear yard – 2½ inches per foot of height, not less than twelve feet (§774.1)
- 5. Side yard - not required (§775.5)
- 6. Minimum required off-street parking (§2101.1):
 - a. For office in excess of 2,000 square feet, 1 for each additional 1,800 square feet of gross floor area
 - b. For switch gear/optical transmission node, 1 for each 3,000 square feet

B. New Downtown Receiving Zone

- 1. Permits acquisition of transferable development rights (TDRs)
- 2. Height may be increase to maximum permitted under the Act of 1910 (110 feet for the subject property)
- 3. FAR may be increased to 9.0

IV. Proposed development

- A. Use: office building and Verizon switch gear/optical transmission node
- B. Gross floor area of approximately 257,924 square feet (7.16 FAR)

- C. Height: 108 feet, 4.5 inches
- D. Parking: 101 spaces (79 full size spaces and 22 compact spaces which may be less than 8 feet wide by 16 feet deep)
- V. Relief required
 - A. Special exception from the rear yard requirements (§774)
 - 1. Minimum required (based on the 110 foot height): 22.7 feet
 - 2. Proposed: 18.75 feet (existing, based on 90 foot height)
 - 3. Relief required: 3.95 feet
 - B. Variance from the parking requirements (§2101.1)
 - 1. Minimum required: 121 spaces
 - 2. Proposed: 79 full size spaces and 22 compact spaces (existing garage)
 - 3. Variance: 42 spaces
- VI. Standards for the rear yard special exception
 - A. 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
 - B. 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
 - C. Building plan shall include provisions for adequate off-street service functions
 - D. Review by the Office of Planning and other relevant District departments and agencies
- VII. Compliance with the rear yard special exception standards
 - A. Separation of windows:
 - 1. Are no habitable rooms in office building to the east or in subject building
 - 2. Wider than the separation found across many alleys

3. 18.75 foot wide yard has existed for more than 45 years and provides sufficient light and air without apparent adverse effect
 4. Existing office buildings provide mechanical ventilation and artificial interior lighting
- B. Service and loading functions
1. Loading is provided on-site through the alley which enters the Square from 20th Street
 2. Width of rear yard does not affect loading and parking for the building
- C. Agency review: Office of Planning report, dated November 22, 2011, and DDOT report, dated November 17, 2011, filed in the record in support of the application

VIII. Standards for a variance (§3103.2)

- A. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,
- B. the strict application of any regulation adopted under D.C. Code §§5-413 to 4-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship;
- C. Provided, that the 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 Map.

IX. Compliance with the variance standards

- A. Exceptional situation:
1. Existing building with two levels of underground parking
 2. Building occupies 98% of the lot
 3. Location of cores, ramps and structural elements constrains ability to add parking

B. Practical difficulty:

1. The number of conforming spaces that can be provided is a maximum of 79
2. Inability to expand either vertically (additional levels below grade) or horizontally (no additional lot area available)

C. No substantial detriment:

1. Larger neighborhood almost exclusively high-rise buildings
2. Are many alternatives to use of automobile (Metrorail, bus, Circulator, bike)
3. Availability of additional 22 compact spaces in the garage

X. Conclusions

- A. Addition of one story increase the requirement for the depth of the rear yard but does not decrease the distance between the subject building and the building on the adjoining lot and does not affect light and air to the adjoining building
- B. Exceptional conditions include location and design of existing building occupying almost all of the site
- C. Practical difficulty results from inability to add parking by expanding either below or alongside the existing garage
- D. Additional parking is not needed to serve the building and are abundant transit alternatives in the area
- E. The application should be granted

