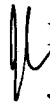


**MEMORANDUM**

2012 MAR 13 PM 2:09

TO: District of Columbia Board of Zoning Adjustment

FROM:  Karen Thomas, Project Manager
Joel Lawson, Associate Director Development Review

DATE: March 9, 2012

SUBJECT: BZA 18313: 1328 14th Street, NW

BOARD OF ZONING ADJUSTMENT
District of ColumbiaCASE NO. 18313EXHIBIT NO. 27**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) **recommends approval** of the requested area variance relief from:

- The off-street parking requirements under § 2101.1 to allow 20 spaces where 27 are required;
- The compact space requirements under § 2115.2 to allow 85% of the required parking spaces as compact spaces where a maximum of 40% is permitted; and
- The loading berth and service delivery requirement under 2201.1 to provide a 30-foot deep loading berth (50-foot deep required) and a 100-sf. service delivery platform (200sf. required).

OP also **recommends approval** of special exception relief pursuant to § 411.11 from the requirements of §§411.3 and 411.5 to permit multiple roof structures with walls of unequal height.

II. AREA AND SITE DESCRIPTION

Address	1328 14 th Street NW
Legal Description	Square 211, Lot 864 and 867
Ward	Ward 2, ANC-2F
Zoning	ARTS/C-3-A
Lot Characteristics	The 10,423 square-foot lot is comprised of former Lots 864 and 867 and is rectangular in shape.
Adjacent Properties	To the north is a 2-story building with retail use; to the east 14 th Street and across 14 th Street are 3-story buildings with various commercial uses; to the south is a 3-story building with retail use; to the west across the alley is a 3-story, loft style, residential building.
Neighborhood Character	The property is within the Logan Circle neighborhood which is developed with a mixture of apartments, hotel, office and retail uses many within mixed uses buildings.
Historic Preservation	Greater 14 th Street Historic District.





Aerial Photo and Zoning Map

III. APPLICATION IN BRIEF

Irwin Edlavitch (the Applicant) proposes to construct a new residential building with ground floor retail in the ARTS/C-3-A District at premises currently known as 1328 14th Street NW. The existing lots 864 and 867 were subdivided to create a single lot of record, and the existing structure and parking lot would be demolished to accommodate a mixed-use building, including 53 apartment units with 4,315 square feet of ground floor retail, and 20-off street parking spaces, 17 of which would be located on one level below grade. The applicant has requested variance relief from the development standards, including the number of required off-street parking spaces, the permitted percentage of compact spaces and from the loading requirements. Special exception relief from the roof structure requirements of §§ 411.3 and 411.5 is also necessary to permit multiple roof structures with walls of unequal height as proposed.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

ARTS/C-3-A	Regulation	Existing	Proposed	Relief
Lot Area	None	n/a	10,423 sf	None required
Lot Width	None	n/a	80 feet	None required
Height (ft.) § 770	65 ft. /75ft (ARTS)	20 feet	64 ft. 4ins.	None required
FAR § 771	Commercial - 2.5 Residential - 4.0 Total = 4.0 + 20% IZ=4.8 4.8+ (Arts Overlay bonus density) 0.5 = 5.3	0.3 approx.	Commercial - 0.4 Residential - 4.27 Total = 4.67	None required
Lot Occupancy § 772.1	Commercial – 100% Residential – 75% max. (80% per IZ)	Not provided	Comm. – 100% Resid. – 79.4%	None required
Parking § 2101 § 2115	Commercial: 1per each additional 300 sf GFA in xs of 3,000 sf (4 spaces) Residential: 1per 2 du (27 spaces), 40% compact	Not provided	Commercial: none Residential: 20 85% compact	Required
Loading Residential Retail	1 loading berth @12'x55' 1platform@ 200sf 1 service delivery @ 10'x20' < 5,000sf	Not provided	1loading berth 30' 1 platform @100sf No service delivery None provided	Required

V. OFFICE OF PLANNING ANALYSIS

The proposal does not meet the requirements for off-street parking (§ 2101.1), compact spaces (2115.1), and loading (2201.1). Special exception relief is also required pursuant to § 411.11, as penthouses and mechanical equipment would not be placed in one enclosure (§ 411.3) and enclosing walls from roof level would not be of equal height (§ 411.5). The proposed development satisfies the standards of the ARTS Overlay. A comparison table of the required standards of the overlay to those proposed by the development is attached as reference.

OFF STREET PARKING, COMPACT SPACES AND LOADING

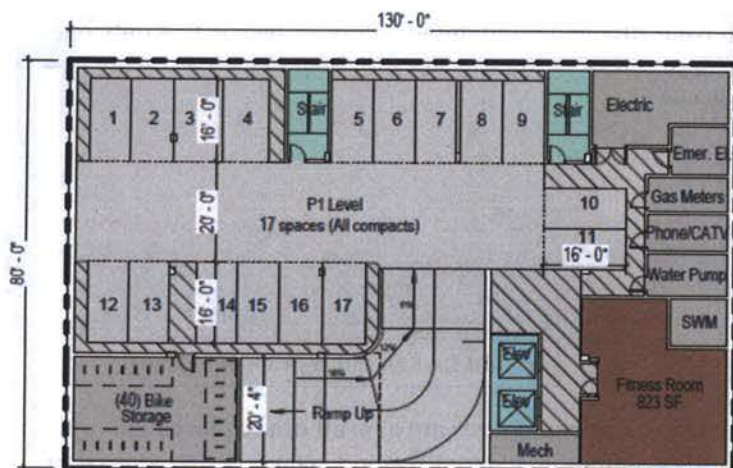
i. Uniqueness Resulting in a Practical Difficulty

The property is subject to a combination of factors which makes it unique and creates a practical difficulty for the applicant. The subdivided property is long and narrow, 80 feet width and abuts a narrow 10-foot wide alley at its rear. These site constraints directly impact the ability of the site to accommodate the required number and size of the off-street parking spaces, as well as the required number of loading berths and platforms.

Off-Street Parking

Twenty-seven spaces would be required to satisfy the residential requirement and four spaces would be required to support the proposed ground floor retail. The proposal assigns no parking to the retail and would have 20 spaces dedicated to residential use, 17 of which would be on one level below grade. The lot's size creates a practical difficulty for the provision of the required number of parking spaces, since the required ramp widths at 14 feet (minimum) and associated ramp turns would require more space than the lot width would reasonably accommodate in order to provide a meaningful number of spaces at an additional level below grade. More importantly, the required ramp slopes to grades below the first level would require a grade of more than 12% (§2117.8 (a)), and would require variance relief, if engineering standards determined that a steeper grade would be safe.

Compact Spaces



The applicant proposes to provide 85% of the required parking as compact spaces (17 spaces) where only a maximum of 40% is permitted (§ 2115.2). Again, the lot's narrow width adversely impacts this requirement as the required drive aisle, ramp width and the building's required support structures, including the bike storage area, stairwells and elevator cores would consume the majority of the below grade space, thereby reducing the area that would be normally devoted to regularly sized 9' x 19' parking spaces. Thus, in order to effectively meet the on-site parking needs of future residents compact spaces would be provided for all spaces proposed below grade.

Loading

Residential buildings with more than 50 units require a 55-foot deep loading berth, a 200 square foot loading platform and a 20-foot deep service delivery platform. The 4,135 square-foot retail area would not generate a loading requirement, as it is less than 5,000 square feet (§2201.1). As supported by the applicant's submitted diagram on T01, the alley width and the lot's size combine to create a practical difficulty in that a 55-foot

would not be able to enter the 10-foot wide alley. Further a 55-foot loading berth would be underutilized and would unnecessarily consume valuable residential and retail square footage and adversely impact the building's configuration. The applicant has the right to use an existing 10-foot wide easement which would effectively widen the alley in the immediate area of the building and accommodate the turn movement for trucks. However, this too would not be sufficient to support greater turning radii for larger trucks. Therefore, given these parameters, the lot width could only reasonably support a 100 square-foot platform and a 30-foot deep loading berth.

ii. Detriment to the Public Good

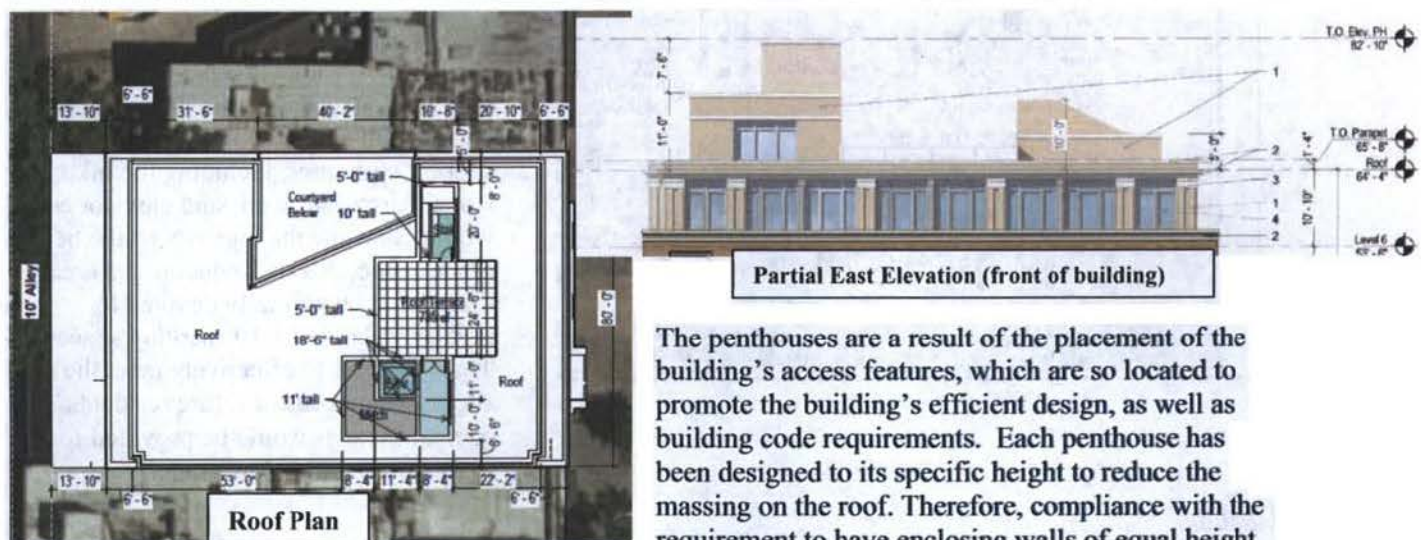
None of the variances requested would significantly impact the public good and none would impact privacy, light and air to abutting properties. The proposed reduction in the residential parking supply would be off-set by the applicant's provision of bike storage well in excess of the required in support of alternative transportation modes. 14th Street is a major transportation corridor, which supports many cross-town Metrobus routes, as well as a Circulator bus route. Therefore, a substantial increase in on-street parking by residents is not anticipated as a result of the reduced off-street parking supply. Similarly, the reduced loading is adequate to support the residential use, as the sizes of the residential units are not anticipated to accommodate excessive furniture. Therefore, large delivery or moving trucks would not be expected to be hired at move-in or out. The applicant has not stated whether the units would be leased or purchased which would have an effect on the frequency of use of the loading area. OP expects the use and times for the loading area would be regulated by the property's management.

iii. No Substantial Harm to the Zoning Regulations

The Applicant has demonstrated that the development of the property under the matter-or-right requirements for parking and loading presents some difficulty which would limit the efficiency and feasibility of the development. The proposed off-street parking spaces and their compact sizes would allow the development to provide on-site parking in a manner that would not substantially harm the zone plan and would not negatively impact the use of adjacent properties.

Special Exception Analysis – Roof Structure (§ 411.11)

The revised roof plan (March 5, 2012) shown on page A05 and highlighted below, indicates that only one stair well and one elevator would provide roof access.



(§ 411.5) would restrict the applicant's project to be compatible with the Historic District, as discussed in the Historic Preservation Board's Staff Report of February 23, 2012. Further, the location of the roof terrace for

use by residents between the stair and elevator penthouses would make it impractical to have a single enclosure for those structures (§411.3).

OP supports relief from the requirements of §411.3 and 411.5 pursuant to § 411.11 as no adverse impacts to light, air or privacy of abutting buildings and surrounding neighbors are anticipated.

VI. HISTORIC PRESERVATION

The property is located in the Greater 14th Street Historic District. The proposal was reviewed by the Historic Preservation Review Board (HPRB) in December, 2011. At the HPRB's meeting on February 23, 2012, the Board found requested revisions compatible with the Historic District's character and requested additional refinements. However, none of the intended changes would affect the requested zoning relief or would require additional zoning relief.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation (DDOT) will submit a report under separate cover. OP is not aware of comments from any other District agency.

VIII. COMMUNITY COMMENTS

The application was reviewed by the ANC 2F at its regularly held meeting on February 16, 2012. The ANC voted unanimously to recommend approval of the requested relief. The report is submitted under separate cover.

IX. CONCLUSION

OP is supportive of proposals to fill-in vacant gaps of the streetscape in such an important mixed-use corridor, as additional residential units would support the continued revitalization of businesses in this area. Therefore, OP **recommends approval** of the requested variance and special exception relief discussed in the report to accommodate the mixed-use development at 1328 14th Street NW.

Attachment:

1. ARTS Overlay Development Standards
2. Historic Preservation Review Board Staff Report

Attachment I

Development Standards of the ARTS Overlay District compared with the Proposed Development

14th St. NW Uptown Arts-Mixed Use (ARTS) Overlay District

	Allowable by Zoning (C-3-A)	Proposed
Use Provisions	No less than 50% of ground level shall be occupied by retail and service uses and arts and arts-related uses as listed in 11 DCMR 1907-1908 per 11 DCMR 1901.1	8,250/2=4,125 4,135 gsf Retail>4,125 Project Complies
Shared Parking	Required parking spaces may be shared by time of day with other uses specified per 11 DCMR 1901.4	No shared Parking
Additional Building Height	Building height may exceed height limit of 65', up to a maximum height of 75', provided no roof structure exceeds 83-1/2' above measuring point for the building, and if the lot abuts a Residence District or an alley serving as zone district boundary line of an adjacent Residence District, no part of the building shall project above a plane drawn at a 45° angle from a line located 50' directly above the property line that abuts the RD or alley per 11 DCMR 1902.1	Building Height=65' Penthouse Height=83.5' Building complies w/ setback requirements
Street Frontage Design Requirements	No driveway that provides access from a pedestrian street to required parking or loading shall be permitted per 11 DCMR 1903.2	Parking and Loading access off of alley
Display Window Requirement	75% of Streetwall build-to R.O.W. Property Line, to a Height of 15'-0" per 11 DCMR 1903.3	Project Complies
Entry Location	50% of Ground Level Wall Surface devoted to display windows and entrances per 11 DCMR 1324.8 (as amended in CNRM 4-27)	Project Complies
Entry Spacing	Maximum separation of building entrances on 14th St. NW not to exceed 40'-0" on average per 11 DCMR 1903.4	Min of 2 entrances provided (2 Required)
Bonus Density	3.0 or greater residential FAR entitled to bonus of 0.5 FAR. per 11 DCMR 1904	Project Res FAR > 3.0

**HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION**

Property Address:	1328 14th Streets, NW	X	Agenda
Landmark/District:	14th Street Historic District		Consent Calendar
Meeting Date:	February 23, 2012	X	Concept Review
H.P.A. Number:	12-032		Alteration
Staff Reviewer:	Steve Callcott	X	New Construction
			Demolition
			Subdivision

Architects John Torti and Sarah Alexander (Torti Gallas and Partners), representing Atlantic Services Group (owners Richard Dubin and Irwin Edlavitch), return for on-going conceptual review for construction of a six-story residential and retail building on a vacant site in the 14th Street Historic District.

When reviewed in December 2011, the Board found the general height, massing and architectural direction for the project to be compatible with the historic district, but directed the applicants to continue studying the treatment of the sixth story and penthouse. These elements were cited as being poorly integrated into the design, resulting in an overly complicated building profile. The Board suggested increased setbacks for the top floor and looking at grouping and reducing the mechanical and egress penthouse elements. The Board also asked that further thought be given to the side and back of the building (including the loading docks), which will be prominent from Rhode Island Avenue.

Proposal

The revised design calls for a change in material and articulation of the sixth floor, eliminating the use of metal panels for brick piers with precast trim. The setbacks of the sixth floor remain the same: 6'6" from the front and rear elevations, 3'0" from the north (Rhode Island Avenue) side elevation, and essentially flush with the south side elevation.

In the previous design, the large shared roof deck resulted in a building code requirement for two stairs and two elevators accessing the roof. In the revised design, the deck has been significantly reduced in size, resulting in the elimination of the rear stair and the elevator closest to the south party wall. The remaining stair has been moved further in from the north side of the building to lessen its visibility, and lowered in height. The building has also been redesigned to have individual HVAC units, substantially reducing the large central mechanical penthouse in height and footprint.

The side elevation facing Rhode Island Avenue has been revised to include three windows on the fourth and fifth floors, rather than two. Minor revisions have also been made to the rear elevation to increase the use of brick in and around the loading dock.

Evaluation

While the proposal does not incorporate the Board's recommended solution that the sixth floor be more substantially set back, the revised design, the use of brick on the sixth floor and penthouse level, and the reduction in the size of the penthouse elements all significantly improve the compatibility of the design. As discussed in the previous review, one of the defining characteristics of the street's auto showroom buildings is the simplicity, strength and forthright quality of their block-like forms. In using the same brick as the rest of the building, unifying the design of the sixth floor with the underlying building, and simplifying the clutter of roof top elements, the form and massing of the upper floors are less complicated and more consistent with the building's architectural precedents.

In an earlier design move, the applicants had established a strong cornice line at the top of the fourth floor to relate to the heights of surrounding buildings; this cornice continues around the sides and rear as a narrower horizontal dividing line, with the fifth floor designed as a classical attic story above the cornice. With the change in architectural treatment, however, the sixth floor has compositionally become more fully integrated into the overall design, with it now serving as a recessive attic story. As the design continues to be refined, the applicants should look at eliminating this continuous band around the sides of the building to allow the five story base of the building to read as a single element.

Also worthy of further study is the treatment of the ground floor retail and residential entrances. As proposed, the apartment building entrance is within a projecting storefront, indistinguishable from the adjacent retail storefronts. Architecturally, it is a confusing use of commercial iconography for a residential entrance. A more appropriate location for the residential entrance would be within the large punched opening at the southern end of the elevation. Flanked by a strong masonry surround, this location provides clear separation from the retail storefronts, would support a separate residential canopy, and would balance the egress exit from the apartment building at the opposite end of the building.

Recommendation

The staff recommends that the Review Board find the revised design to be compatible with the character of the historic district, with the recommendations for design refinements outlined above, and consistent with the purposes of the preservation act. The HPO recommends that final approval be delegated to the staff.