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**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** ✓ Arthur Jackson, Case Manager  
Joel Lawson, Associate Director Development Review

**DATE:** July 17, 2012

**SUBJECT:** **BZA Case 18380** - request for variance relief for the proposed renovation and expansion of the former White Cross (Wonder Bread) Bakery located at 641 S Street NW

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Special exception relief from § 770.6 in accordance with § 411.1 (a penthouse setback of 14 feet 8 inches from each exterior wall is required, 0 feet is proposed) and for walls of unequal height; and
- Variance relief to reduce the required rear yard setback under § 774 (15 feet from the rear property boundary is required 20 feet above the finished grade, 7 feet 3 inches is proposed).

The application also included a request for parking relief; however it does not appear that this relief is required.

**II. LOCATION AND SITE DESCRIPTION:**

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| Address:              | 641 S Street NW                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Legal Description:    | Square 0441 Lot 0848                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Ward:                 | 1B                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Lot Characteristics:  | The rectangular lot has an area of 23,881 square feet (approximately 0.55 acre) and occupies the entire square. The public right-of-way surrounding this lot and square consists of a 16-foot wide alley along the northern boundary; the 90-foot right of way of S Street along the southern boundary; the 30-foot right of way of Wiltberger Street along the eastern boundary; and a 15-foot wide alley along the western boundary (refer to Exhibit 1).  |
| Zoning:               | <i>Arts/C-2-B</i> – residential, retail and office are among the uses allowed as a matter of right, up to a total allowable floor area ratio (FAR) of 3.5. However, non-residential uses are limited 1.5 FAR.                                                                                                                                                                                                                                                |
| Existing Development: | The former Dorsch's White Cross Bakery is a vacant two- and three- story industrial building that occupies the entire lot and square. This imposing Craftsman-style building was constructed in five principal phases between 1913 and 1936. While no sidewalks border the site in the alleys along the northern and western frontages, a wide sidewalk of concrete and masonry pavers extends along the S Street and a narrow concrete sidewalk borders the |

BOARD OF ZONING ADJUSTMENT  
District of Columbia

CASE NO. 18380

EXHIBIT NO. 28

Board of Zoning Adjustment

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|                                     | <p>property along Wiltberger Street frontage. Curb cuts along this frontage are located adjacent to five industrial roll-up doors and bricked-up door wall openings in the eastern building facade.</p> <p>Construction activity is currently underway on the site.</p>                                                                                                                                                                                                                                                                                                                                                                    |
| Historic District:                  | <p>The subject property is located just south of Greater U Street Historic District boundary. This “high-style” industrial building was added to the National Register of Historic Places in 2011.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Adjacent Properties:                | <p>A vacant property to the north across the existing alley is currently used for parking; to the south across S Street are two-story row dwellings and a three-story office building; to the east across Wiltberger Street are two-story industrial buildings and row dwellings; and under construction immediately west of the adjacent alley is a new mixed-use residential, office and arts/retail development that will be 90 feet tall. The site is also within 110 feet of an entrance to the Washington Metropolitan Transit Authority (WMATA) Shaw-Howard University station served by the green and yellow Metro Rail lines.</p> |
| Surrounding Neighborhood Character: | <p>Predominately moderate density residential and commercial.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

### III. PROJECT DESCRIPTION IN BRIEF

| Applicant                   | Jemal's Wonder LLC (Douglas Development Corporation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                |              |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |
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| Proposal:                   | <p>D.C. land records confirm that the former Dorsch's White Cross Bakery was constructed prior to the current Zoning Regulations. The total existing building floor area of 50,014 square feet (excluding the basement) is divided among three floors, and has stood vacant for many years.</p> <p>Under revised plans submitted with the applicant's Pre-Hearing Statement dated July 12, 2012, the rear 45-feet of the building that is not contributing (approximately 4,870 square feet) would be demolished. A structural system would be introduced that would support the upper floors on columns and trusses, rather than using the exterior walls as the primary support. Planned above-grade construction would result in the follow net changes in building floor area:</p> <table><tr><th>Floor Level</th><th>Modification</th><th>Total Area</th><th>Planned Use</th></tr><tr><td>Ground floor</td><td>+ 4,186 sq. ft.</td><td>23,012 sq. ft.</td><td>Retail</td></tr><tr><td>2<sup>nd</sup> floor</td><td>+ 4,057 sq. ft.</td><td>23,012 sq. ft.</td><td>Office</td></tr><tr><td>3<sup>rd</sup> floor</td><td>+ 13,672 sq. ft.</td><td>20,027 sq. ft.</td><td>Office</td></tr><tr><td>4<sup>th</sup> floor (NEW)</td><td>+ 11,679 sq. ft.</td><td>11,679 sq. ft.</td><td>Office</td></tr></table> <p>The resulting changes would increase the above-grade floor area to 77,730 square feet, an increase of approximately 55%. Retail, service and loading space would occupy the former bakery floor area on the ground floor. Office uses would occupy the existing upper floors and the additional 29,408 square feet proposed on the second, third and new fourth floors.</p> <p>Delivery and service vehicles would back from the western alley into interior parking spaces 30- feet deep and 20-feet deep, respectively. Vehicles would also</p> | Floor Level    | Modification | Total Area | Planned Use | Ground floor | + 4,186 sq. ft. | 23,012 sq. ft. | Retail | 2 <sup>nd</sup> floor | + 4,057 sq. ft. | 23,012 sq. ft. | Office | 3 <sup>rd</sup> floor | + 13,672 sq. ft. | 20,027 sq. ft. | Office | 4 <sup>th</sup> floor (NEW) | + 11,679 sq. ft. | 11,679 sq. ft. | Office |
| Floor Level                 | Modification                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Total Area     | Planned Use  |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |
| Ground floor                | + 4,186 sq. ft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 23,012 sq. ft. | Retail       |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |
| 2 <sup>nd</sup> floor       | + 4,057 sq. ft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 23,012 sq. ft. | Office       |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |
| 3 <sup>rd</sup> floor       | + 13,672 sq. ft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 20,027 sq. ft. | Office       |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |
| 4 <sup>th</sup> floor (NEW) | + 11,679 sq. ft.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 11,679 sq. ft. | Office       |            |             |              |                 |                |        |                       |                 |                |        |                       |                  |                |        |                             |                  |                |        |

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                | <p>access the ramp down to 27 cellar parking spaces from this alley.</p> <p>The sawtooth pattern proposed on the third and fourth floor rooflines would reflect the industrial character of this building and house skylights. The separate roof structures shown on the plans appear to be elevator core and stair tower enclosures and two air conditioning towers (plans to not indicate that the latter structures would be enclosed or otherwise screened from view).</p> |
| Relief Sought: | Variance relief from § 774 (rear yard), 2100.1 (parking) and special exception relief from §§ 411.2 and 770.6 (maintaining a 1:1 setback from the exterior walls and penthouse enclosure walls of equal height).                                                                                                                                                                                                                                                               |

### III. ZONING RELIEF

| ARTS/C-2-B Zone                     | Regulation                                                                                                  | Existing                 | Proposed                                                                                        | Relief                                 |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------|----------------------------------------|
| Height (feet) § 770                 | 65 feet                                                                                                     | 39 ft.                   | SAME                                                                                            | None required                          |
| Height (roof structure) § 777       | 18.5 feet                                                                                                   | Unknown                  | 15.8 feet                                                                                       | None required                          |
| Floor area                          | --                                                                                                          | 50,014 sq. ft.           | 78,347 sq. ft.                                                                                  | None required                          |
| <b>FAR<sup>1</sup>:</b> Residential | 3.50                                                                                                        | 0                        | 0                                                                                               | None requested<br>+1.77                |
| <b>Other</b> (§ 771)                | <b>1.50</b>                                                                                                 | <b>2.09</b>              | <b>3.27</b>                                                                                     |                                        |
| Lot Occupancy § 772                 | 100%                                                                                                        | 100%                     | SAME                                                                                            | None required                          |
| <b>Rear Yard (feet) § 772</b>       | <b>15 feet<sup>2</sup></b>                                                                                  | <b>0 feet and 8 feet</b> | <b>15 feet and 8 feet</b>                                                                       | - 8 feet (above 20 feet <sup>0</sup> ) |
| Open Court § 776                    | 3 in./height foot, >=12 ft.                                                                                 | Various                  | Various                                                                                         | None requested                         |
| Parking § 2100.1                    | 1 / 1,800 s.f. > 2,000 s. f. (office);<br>1 / 750 s. f. > 3,000 s.f. (retail/service)                       | None                     | 15 spaces +<br>(29,408 s. f. - office)<br>2 spaces = 17 spaces<br>(4,186 s. f. - retail)        | None required<br>(27 spaces)           |
| Loading § 2201.1                    | 1 @ 30 feet deep,<br>1-100 s. f. loading platform and<br>1 service/delivery space 20 feet deep <sup>3</sup> | Unknown                  | 1 @ 30 feet deep,<br>1-100 s. f. loading platform, and<br>1 service/delivery space 20 feet deep | None required                          |

Floor area ratio - Variance relief from § 771 for the requested non-conforming non-residential floor area limitation would normally be required. However, the applicant indicated that negotiations are underway to acquire sufficient combined lot development (CLD) credits from developments within the Arts overlay district to satisfy the non-residential FAR limitation.

On-site parking requirement - The floor area additions must be parked because the above-grade building floor area would increase over 50%. In accordance with § 2120:

- No additional parking spaces are required for change in the existing ground floor use from warehouse to retail service uses, and from warehouse to office on the existing upper floors;

<sup>1</sup> Floor area ratio (FAR).

<sup>2</sup> As measured from the alley centerline below a horizontal plane at 20 feet above finished grade and from the rear property boundary above that horizontal plane.

<sup>3</sup> Based on the additional 29,408 square feet of floor area that would be added for future office space (no loading would be required for 4,186 square feet that would be reconstructed for retail space).

- On-site parking spaces are required for the retail square footage added to the ground floor (4,186 square feet that would be constructed *back* after the rear demolition) and the 29,408 square feet of office floor area that would be added on the upper three floors; and
- Required parking spaces would not be subject to §§ 2115 (parking space size), 2117.5 (accessibility and maneuverability) and 2117.6 (aisle width) standards of the regulations.

Under these standards, OP believes that the proposed 27 parking spaces would exceed the required minimum. However, should the BZA determine that relief is required, OP has no concerns with the request.

Service and loading - The existing building does not appear to have any loading facilities and this is legally non-conforming with the current standards. The office floor area additions generate the above-referenced loading and service requirements under § 2201 which are addressed in this proposal.

Roof structures - The structures identified on the roof plan enclose the elevator core, stair tower and two air conditions towers. The elevator and stair enclosures are connected but not of the same height, while the air conditions towers are apparently not enclosed or otherwise screened from view. In addition, not all of the rooftop structures provide the required setback from the building edge.

Based on this review, the proposed construction requires special exception relief from § 770.6 in accordance with § 411.1, and variance relief from the minimum rear yard required under § 774.

#### IV. OFFICE OF PLANNING ANALYSIS

- **Special exception relief for roof structure setbacks and wall heights:**

*411.11 Where impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable, the Board of Zoning Adjustment shall be empowered to approve, as a special exception under § 3104, the location, design, number, and all other aspects of such structure regulated under §§ 411.3 through 411.6, even if such structures do not meet the normal setback requirements of ... § 770.6.*

Relief was requested because the elevator and stair enclosure would not maintain a 1:1 setback from the western exterior equal to its height and the connecting walls enclosing the elevator core and stair tower would be of different heights.

The applicant explained that the location of this enclosure, and the elevators and stair tower within were dictated by the service need of the floor plates below. No explanation was provided as to why the connected enclosure walls cannot be the same height, but such unequal heights tend to reduce the overall massing and therefore visual impact of the rooftop penthouse. The project design, including the rooftop penthouses, was reviewed positively by the Historic Preservation Review Board.

OP also noted that additional relief may be required because the air conditioning towers on the third floor roof are not enclosed. The applicant responded that this issue would be addressed at the public hearing.

- **Variance relief for rear yard:**
  - **Uniqueness Resulting in a Practical Difficulty**

The Statement describes the 100 x 420-foot corner lot and square as being “exceptionally narrow and long.” That fact, along the property being surrounded by narrow public right-of-way and having individual historic landmark status, is identified as unique site characteristics. However, none of these necessarily present a practical difficulty.

The more significant issue involves the new system being introduced for structural support. Shifting the second floor back to meet required rear yard setback in the new post-and-truss structural system appears to require either: placing a support column for the upper floors in the middle of the driveway ramp to the cellar garage; or altering the system to span 18.5-foot doorway and garage ramp while supporting the weight of the upper three floors.

The proposed location of parking garage entrance and ramp in this corner of the property appears reasonable, particular since vehicles waiting to enter the garage would have space to queue in the alley. Locating a support in the middle of this entrance would make vehicular maneuvers into and out of the garage more difficult, and modifying the structure to span across the garage entrance and ramp while supporting the upper three floors could pose an engineering challenge that significantly adds to the project costs.

OP therefore agrees that shifting the upper three-floors back to sufficiently meet the required rear yard setback would create a practical difficulty in this case.

- o **No Substantial Detriment to the Public Good**

It does not appear that the proposal would negatively impact the surrounding neighborhood. The overall building would still have a 7 foot 3 inch-setback from the rear property boundary and be over 15-feet away from the alley centerline.

- o **No Substantial Harm to the Zoning Regulations**

Granting the requested zoning relief in accordance with these provisions would not be detrimental to the intent and integrity of the Zoning Regulations.

#### **IV. AGENCY COMMENTS**

Plans for the proposed additions were submitted to the Historic Preservation Office for review by the Historic Preservation Review Board (HPRB). The HPRB gave conceptual approval to architectural plans on January 26, 2012, after finding that the conceptual design to be compatible with the character of this industrial landmark. The approval of the final construction plans was delegated to HP staff.

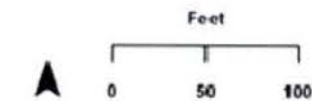
The District Department of Transportation reviewed this proposal and will provide any agency comments under a separate cover.

#### **V. COMMUNITY COMMENTS**

On its public meeting on June 7, 2012, Advisory Neighborhood Commission (ANC) 1B unanimously voted in favor of a resolution in support of the zoning relief requested in the original application.



## BZA Application No. 18380



\*\*\* Government of the  
District of Columbia  
Adrian M. Fenty, Mayor

Office of Planning ~ December 13, 2007

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It is neither a survey nor a legal document.  
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### LEGEND

- Property Squares
- Owner Points (Lite)
- Street Centerlines
- Water
- Parks