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**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J Mordfin, AICP, Case Manager  
Joel Lawson, Associate Director Development Review  
**DATE:** November 27, 2012  
**SUBJECT:** BZA Case 18453, 1728 14<sup>th</sup> Street, N W

**BOARD OF ZONING ADJUSTMENT**  
District of Columbia

CASE NO. 18453

EXHIBIT NO. 27

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 2101 1, Parking (56 spaces required, 4 proposed),
- § 2201 1, Loading (two 30-foot berths required, one 30-foot berth proposed), and
- § 2201 1, Loading (one delivery space required, none proposed), and

OP recommends approval of the following special exception relief

- § 411 5, Roof Structures (one height permitted, two proposed)

The applicant requested the maximum relief necessary to accommodate any of the three separate development scenarios, impacted by the uses which grant different bonus FAR densities under the ARTS Overlay Relief is not requested that would allow bonus density without providing the associated required use

**II. LOCATION AND SITE DESCRIPTION**

|                                    |                                                                                                                                                                                                           |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Address                            | 1728 14 <sup>th</sup> Street, N W                                                                                                                                                                         |
| Legal Description                  | Square 207, Lot 120                                                                                                                                                                                       |
| Ward                               | 2                                                                                                                                                                                                         |
| Lot Characteristics                | Level rectangular lot with rear alley access                                                                                                                                                              |
| Zoning                             | C-3-A Medium Bulk Major Business and Employment Center<br>ARTS Overlay Uptown Arts-Mixed Use Overlay District                                                                                             |
| Existing Development               | Two-story non-contributing warehouse building                                                                                                                                                             |
| Historic District                  | Greater Fourteenth Street                                                                                                                                                                                 |
| Adjacent Properties                | North Three-story commercial building<br>South Two-story commercial building<br>East Across 14 <sup>th</sup> Street, two-story row houses<br>West Across public alley, row houses and apartment buildings |
| Surrounding Neighborhood Character | Commercial district along the west side of 14 <sup>th</sup> Street, with apartment and row houses to the east and west                                                                                    |



### III. APPLICATION IN BRIEF

The applicant proposes to convert an existing two-story warehouse building into a four-story mixed use building, proposing three different development scenarios. Ground floor retail would be provided under each scenario, with the second floor to be developed as either retail or office space. Under each scenario the third and fourth floors would be developed with varying amounts of office space. The applicant has requested the maximum amount of relief necessary to permit the construction of any of the three scenarios, without having to return to the Board. The applicant proposes to secure tenants for the building prior to construction, which would affect the build out of the building and the amount of relief needed.

The following table briefly describes each scenario

|                         | Scenario One                    | Scenario Two                                                 | Scenario Three                  |
|-------------------------|---------------------------------|--------------------------------------------------------------|---------------------------------|
| <b>Commercial GFA</b>   | 6,506 SF                        | 6,506 SF                                                     | 13,595 SF                       |
| <b>Office GFA</b>       | 18,760 SF                       | 22,260 SF                                                    | 15,171 SF                       |
| <b>TOTAL GFA</b>        | 23,350 SF                       | 28,766 SF                                                    | 28,766 SF                       |
| <b>Parking Required</b> | 39 spaces                       | 45 spaces                                                    | 56 spaces                       |
| <b>Loading Required</b> | 1-30 berth<br>1-100 SF platform | 2-30 berth<br>2-100 SF platforms<br>1-service delivery space | 1-30 berth<br>1-100 SF platform |
| <b>Roof Structure</b>   | two varying heights             | two varying heights                                          | two varying heights             |

Under each scenario tenant access to the roof above the fourth floor is proposed, with the need to provide both stairwell and elevator enclosures on the roof. The proposed stairwell would be 9 66 feet in height and the elevator enclosure would be 14 33 feet in height, a difference of 4 67 feet. The applicant requests special exception relief to permit a roof structure of two different heights.

Each scenario would be in conformance with the ARTS Overlay District

### IV. ZONING REQUIREMENTS and REQUESTED RELIEF

| ARTS/C-3-A Zone           | Regulation                                               | Existing                                                | Proposed                                                | Relief                           |
|---------------------------|----------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|----------------------------------|
| Height § 1902.1           | 75 ft max                                                | 23 ft                                                   | 57 ft                                                   | None required                    |
| Floor Area Ratio § 1904.1 | 2.5 non-residential,<br>4.50 total <sup>1</sup>          | 1.07                                                    | 3.43 max                                                | None required                    |
| Rear Yard § 774           | 11.9 ft min                                              | 19.2 ft                                                 | 19.2 ft.                                                | None required                    |
| Parking § 2101            | 56 spaces min.                                           | 4 spaces                                                | 4 spaces                                                | Required                         |
| Loading § 2201            | 2-30 ft berths<br>2-100 SF platforms<br>1 delivery space | 1-30 ft berth<br>1-100 SF platform<br>No delivery space | 1-30 ft berth<br>1-100 SF platform<br>No delivery space | Required<br>Required<br>Required |

<sup>1</sup> Bonus GFA may be used pursuant to Chapter 19 of the Zoning Regulations to achieve a maximum FAR of 4.5

## **V. OFFICE OF PLANNING ANALYSIS**

### **a. Variance Relief from § 2101.1, Parking**

#### **i. Exceptional Situation Resulting in a Practical Difficulty**

The applicant proposes to retain the existing structure, which has no below grade parking or loading. Construction of parking and loading below the building is not possible due to the location of the existing steel columns and footings supporting the building, without the removal of the building. Even if the existing building were to be removed and a new one constructed in its place, a five-level below grade garage would be required in order to provide 56 parking spaces for a four-story building. Construction of such a garage would be highly inefficient and result in a practical difficulty.

#### **ii. No Substantial Detriment to the Public Good**

The subject property is well-served by a variety of transportation options. It is located less than one-half mile from the U Street/Cardozo Metrorail station on the Green/Yellow Line and 14<sup>th</sup> Street is served by one Circulator and three Metrobus routes. The site has a transit score of 90 (Rider's Paradise) and a walk score of 98 (Walker's Paradise) from walkscore.com. Bikeshare and Zipcar facilities are located nearby, reducing the need for off-street parking and ensuring that the parking demand generated by this development would not overwhelm the surrounding neighborhood. Most neighborhood streets are metered or have RPP restrictions, limiting the ability of employees to park on the street.

#### **iii. No Substantial Harm to the Zoning Regulations**

The site is well served by a variety of transportation options reducing dependence on the automobile and the need for off-street parking. It is well served by public transportation and other forms of transportation, including Zipcar and Bikeshare. A ten-space bicycle room would be provided and OP encourages the applicant to provide showers and changing facilities to further mitigate impacts.

### **b. Variance Relief from § 2201.1, Loading**

#### **i. Exceptional Situation Resulting in a Practical Difficulty**

The existing building was constructed with one loading berth and platform. A below-grade garage cannot be constructed to accommodate additional loading facilities because of the configuration of the existing building, which the applicant proposes to retain. Provision of loading facilities within the building and on the first floor would only serve to eliminate ground floor retail or ground level parking in favor of loading facilities.

#### **ii. No Substantial Detriment to the Public Good**

A second loading berth and loading platform, and a service delivery space, are required for the proposed office space under one of the scenarios, and would be sufficient to serve more than twice as much office space as is proposed by the applicant, as defined by the Zoning Regulations. The maximum proposed amount of office space is only slightly over the minimum threshold for the provision for the requirement to provide loading facilities for office space. The loading space would be accessible to both the retail and office uses. A loading coordinator would schedule and coordinate loading and delivery operations. Therefore, sharing of the loading facility should not result in a detriment to the public good.

**iii. No Substantial Harm to the Zoning Regulations**

One loading berth and one loading space would be sufficient to accommodate the uses of the building. The loading space and platform would be available to be shared within the building to satisfy the loading needs of the building.

**c. Special Exception Relief pursuant to § 411.11, Roof Structures**

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

The proposal to provide two roof structures of unequal height would allow the applicant to provide a screen wall at a height lower than the elevator override. The height of the screen wall could be increased to match the height of the elevator override, but this would serve to increase the visibility of the roof structure from the street and increase the appearance of bulk on the roof of this building without providing additional screening of rooftop structures.

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

The lower height of the roof structure surrounding the mechanical equipment and the stairwell on the roof would not tend to adversely affect the use of neighboring property as its lower height would be less visible than if the height were to be increased to match that of the elevator override.

The Historic Preservation Review Board (HPRB), at its meeting of July 26, 2012, approved the general concept as compatible with the 14<sup>th</sup> Street Historic District. HPRB has not yet reviewed the roof structure proposal.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments were received from other District agencies.

**VII. COMMUNITY COMMENTS**

ANC 2F reviewed the application at its regularly scheduled meeting of November 7, 2012.

Attachment: Location Map

