

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 31, 2015

SUBJECT: BZA Case 18975 - application for a special exception from the roof structures requirements under § 411.3, to allow the screening of rooftop mechanical equipment for a proposed food manufacturing use at premises 2619 Evarts Street N.E.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) is **not opposed** to the following special exception pursuant to § 223:

- § 411 Roof Structures – no screening of rooftop mechanical equipment

Typically, OP strongly supports the screening of mechanical equipment, consistent with § 411.3, as an important tool in minimizing the visual and noise impacts of rooftop mechanical equipment. Given that the building's existing rooftop equipment is largely out of public view and set well back from public spaces, and that installation of screening could create operating difficulties for the Applicant's start-up business, OP is not opposed to the Applicant's most recent submission, which proposes no screening of the existing rooftop mechanical equipment, (Exhibit 23). However, should the Board require installation of a screen, OP would strongly support the installation of the Top Lock Slat System, as proposed in the Applicant's initial submission, (Exhibit 11).

II. LOCATION AND SITE DESCRIPTION:

Address:	2619 Evarts Street NE (the "Subject Property")
Applicant	Scratch LLC (the "Applicant")
Legal Description:	Square 4348, Lot 4
Ward:	5
Lot Characteristics:	The rectangular lot is 190 feet deep and 40 feet wide along the Evarts Street NE frontage.
Zoning:	C-M-1 - Industrial uses permitted
Existing Development:	Two-story brick and concrete industrial structure, permitted in this zone.
Historic District:	NA
Adjacent Properties:	Adjacent properties include two-story industrial buildings. Residential properties are located across Evarts Street NE.

Surrounding Neighborhood Character:	The surrounding neighborhood is characterized by light industrial on three sides and some residential uses within the CM-1 zone across Evarts Street. A Washington Metropolitan Area Transit Authority (WMATA) facility is located to the rear.
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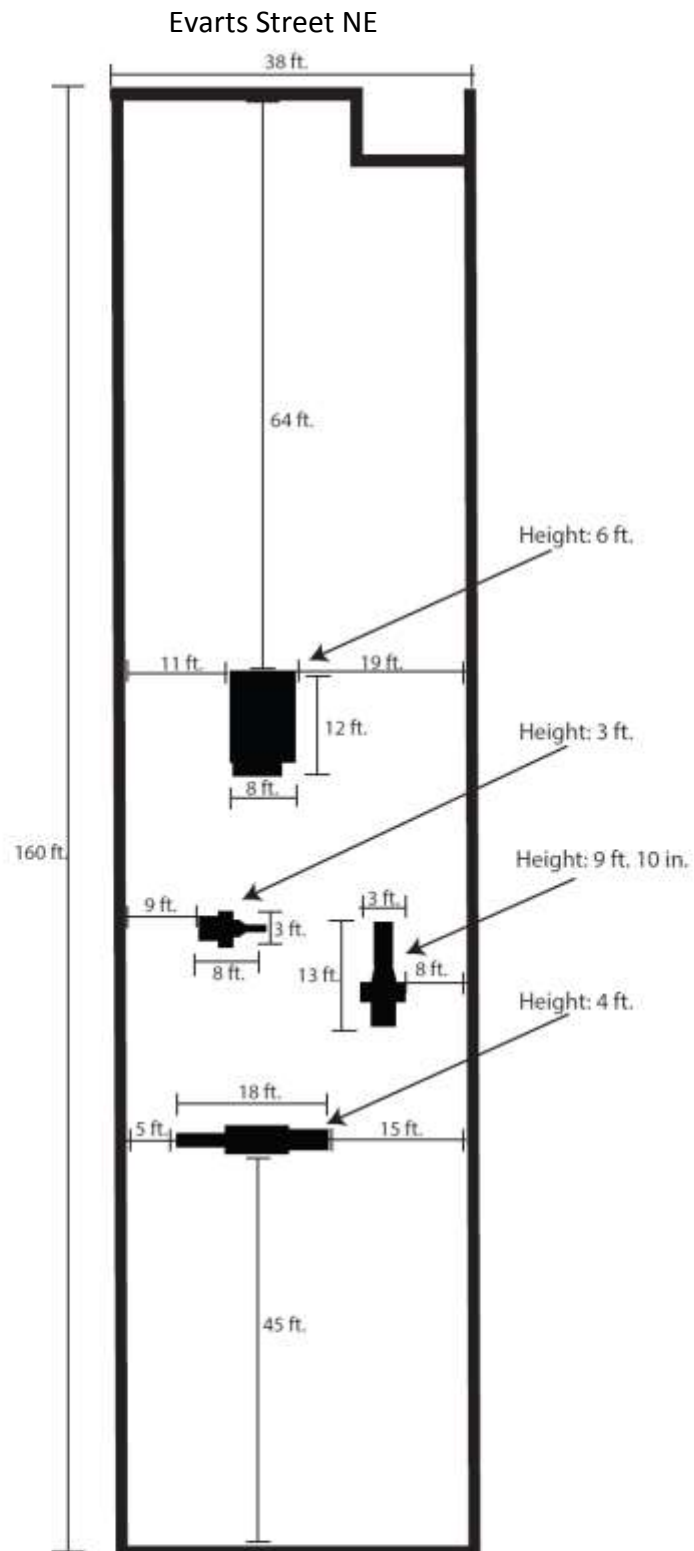
III. PROJECT DESCRIPTION IN BRIEF

The Applicant, Scratch DC, is seeking a special exception for the existing rooftop mechanical equipment at its production facility for ready to cook dinner kits. The Applicant installed the rooftop equipment based on obtaining a permit from the Department of Consumer and Regulatory Affairs (DCRA), which also called for installation of a louver screening system. The roof currently includes four pieces of mechanical equipment, the tallest of which is nine feet ten inches in height. The Applicant's initial application to the Board indicated the Applicant's intention to forgo installation of a Top-Lock Slat System screen instead of the previously approved louver system; the slats would have a height, length, and width consistent with the louver system and the intent of § 411.3. The Applicant has since submitted into the record a request to forgo any screening of the mechanical equipment.



Subject Property

Location of Existing Rooftop Mechanical Equipment





Subject Property

V. OP ANALYSIS:

411.3 All penthouses and mechanical equipment shall be placed in one (1) enclosure, and shall harmonize with the main structure in architectural character, material, and color.

The building includes four pieces of mechanical equipment, all of which are currently unscreened. The Applicant is requesting relief to permit not enclosing the equipment by screening, pursuant to § 411.11. Section 411.11 lists the following criteria:

- 1. Meeting the requirement would be 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 Applicant maintains that placing the existing mechanical equipment into an enclosure would cause operating difficulties due to the louver system's excessive cost. According to the Applicant, the cost estimate for the louver system would push the Applicant's start-up business to be more than \$100,000 over-budget. Likewise, the Applicant states that the more cost-effective Top-Lock Slat system would also create a financial hardship.

Scratch DC's operations would be consistent with OP's Ward 5 Industrial Land Transformation Study (Ward 5 Works), which notes that the preponderance of Ward 5's industrial buildings offer Class C space and require upgrades to better meet the needs of

Production, Distribution, and Repair (PDR) industries. Ward 5 Works encourages renovation of historic and older buildings to assure the long-term affordability of industrial space, supports the development of new multi-tenant space, encourages cooperation in development of multi-tenant industrial buildings for small food producers, supports a focus on PDR industry development by incentivizing, attracting and retaining innovative PDR businesses, and encourages streamlining of the building and occupancy permit processes to significantly reduce the time required.

2. The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.

Typically, OP supports the screening of mechanical equipment consistent with § 411.3; however, photographs provided by the Applicant, and confirmed by a site visit by OP, demonstrate that the Subject Property's existing rooftop mechanical equipment is largely out of public view. Further, elevations submitted by the Applicant also demonstrate that there are no sightlines to the mechanical equipment at a pedestrian level from across Evarts Street NE to the north. The Applicant maintains, and OP agrees, that in this instance screening for existing mechanical equipment, which OP estimates would have to be at least 50 feet by 25 feet in area to encompass all of the mechanical equipment, could potentially raise the equipment's visibility. The immediate area is predominantly comprised of industrial uses.

Likewise, the light and air of the adjacent buildings should not be affected adversely. The property to the west is a similarly designed industrial building with no windows facing the Subject Property. The property to the east includes a service alley adjacent to the Subject Property and should also not be impacted. Finally, the property to the rear includes a paved open area adjacent to the Subject Property and should not be impacted. OP estimates that the closest residential building (also located with the CM-1 zone) is approximately 180 feet from the closest rooftop mechanical equipment. As such, the impact of the existing equipment should be minimal and any noise emanating from the mechanical equipment should be negligible.

VI. COMMUNITY COMMENTS

As of this writing, comments from the ANC or the immediate neighbors have not been submitted into the record.