GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORADUM

TO: Zoning Commission

FROM: Andrew Altman, Director
Office of Planning

DATE: December 12, 2000

SUBJECT: Waiver of Rules for Late Submittal of Final Report on Case No. 16664

The attached Final Report concerning the application for a special exception review of an Electronic Equipment Facility at 175 R Street, NE is being submitted less than 10 days prior to the Zoning Commission's consideration of the item. The Office of Planning respectfully requests that the Commission waive its rule and accept the report into the record.

Attachments

AA/

BZA
Case No. 16664
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO.16664
EXHIBIT NO.28

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Zoning Commission

FROM: Andrew Altman
Director

DATE: December 5, 2000

SUBJECT: Application 16664- 175 R Street, NE
Teleplace Electronic Equipment Facility

APPLICATION

Application of Teleplace, pursuant to 11 DCMR 3104.1 and 2101.1, for a special exception to establish an Electronic Equipment Facility (EEF) with parking relief in the C-M-2 District at 175 R Street, N.E., (Square 674, Lots 49, 53, 807 and Square 3576, Parcel 117/21)

APPLICANT'S PROPOSAL

The applicant proposes to renovate the existing warehouse for use as an EEF. The now vacant lot to the east of the warehouse is included in the property and will be used as on-site parking. The building will have its primary entrance on the east, from the parking lot. The ground floor of the warehouse will have several offices to be used by tenants and on-site personnel. A masonry wall and decorative wrought iron gate will screen the parking lot from adjoining residential property. Extensive landscaping is proposed as part of the parking and streetscape improvements

SUMMARY RECOMMENDATION

The Office of Planning recommends approval of the special exception application.

BACKGROUND

Temporary Regulations

On October 16, 2000, the Office of Planning recommended an emergency rulemaking for the temporary regulation of electronic equipment facilities (EEFs) (a.k.a. data centers, tech hotels, telecommunications switching facilities, Internet hotels) which was adopted by the Zoning Commission.

The regulations provided for the temporary review of these facilities through the special exception process, but allowed matter-of-right development if the facilities were placed underground. The temporary regulations applied to the C-3, C-4, C-5, C-M, and M zones.

EEFs were prohibited in all other zones as being contrary to the purposes of the zoning districts stated in Title 11DCMR.

The temporary regulations were designed to encourage the appropriate development, design and location of data centers in the city. It was OP's intent to protect the areas where employee-oriented technology developments have occurred and areas identified for economic revitalization. Many of the EEFs have been proposed in areas of the city that have significant long-term development potential and have been identified for economic revitalization, such as the North of Massachusetts (NoMa) area and the waterfront. These revitalization areas encourage the location of technology firms and anticipate a mixed-use vibrant street life that makes optimal use of the Metrorail.

Electronic Equipment Facilities
Electronic Equipment Facilities are large spaces or buildings almost entirely occupied by electronic equipment for Internet and telecommunication service providers. EEFs serve as transmission hubs, or switching centers, for service providers whose computer equipment needs to be connected to major fiber optic networks. It is common for these facilities to house multiple and competing data service providers and, due to fiber availability, to cluster in a concentrated area.

EEFs have unique development and operating standards including close proximity to fiber optic lines, large floor plates with wide column spacing and tall ceilings, dry fire safety systems, minimum window exposure, high security, demand for high levels of power, low number of employees, low parking, loading and delivery demands, and 24 hour operations.

Other Cities Surveyed
OP contacted several cities across the country[1] in an effort to survey their experiences with data centers and the impact data centers have had on their cities. San Jose and Los Angeles reported that data centers could result in "dead zones" due to low employee presence, high security designs and minimal street orientation. They also reported that data centers can cause a steep increase in rental rates leaving smaller and start up firms competing for lower cost space. However, almost all cities agreed that these facilities could also make economical reuse of old and existing warehouses.

San Jose is considering a proposed ordinance that would require a conditional use permit (similar to our special exception review) for data centers in all zones where they would be permitted. LA and Portland are also considering addressing the facilities as a unique land use and zoning classification but have not yet proposed final regulations.

OP was concerned that the uncontrolled development of actual and speculative data centers could forestall redevelopment efforts and have an adverse impact on the future redevelopment of the areas. Therefore, OP recommended a special exception review be provided for these facilities on an emergency basis while final regulations were prepared.

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[1] San Jose, San Francisco, Los Angeles, Santa Clara County, Portland, OR, Seattle, Dallas, Chicago, Boston, Annapolis, Loudoun County, VA.

SPECIAL EXCEPTION REQUEST

In making a special exception request, the applicant must show that the proposed use will not have an adverse impact on the surrounding area. The temporary EEF regulations require that the applicant show "... that the proposed use will not, as a consequence of its design, operation, low employee presence, or proximity to other EEFs, preclude future revitalization of the neighborhood, reduce the potential for vibrant streetscapes, deplete street life, or inhibit pedestrian or vehicular movement."

The emergency regulations also provide guidance to the Commission in determining adverse impacts. They state:

> In evaluating whether an EEF will have any of the adverse impacts described in 745.2, the Commission shall consider, in addition to other relevant factors, the adverse impact of:
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> (a) The absence of retail uses or of a design capable of accommodating retail uses in the future;
>
> (b) The presence of security or other elements in the design that could impair street life and pedestrian flow;
>
> (c) The disruption of existing or the elimination of officially proposed pedestrian or vehicular routes; and
>
> (d) The inability of the EEF to be adapted in the future for permitted uses.

The temporary regulations further provide guidance in terms of considering the location of the facility relative to Metrorail stations and any positive economic benefits that may arise from an EEF. The regulations state the following:

> The Commission in weighing the potentially adverse factors delineated in 745.3 (a) through (d) shall consider the economic development potential of the area in which the EEF is proposed to be established and shall give greater negative weight to these factors if the EEF is to be located in proximity to an existing or proposed Metro Station or on a pedestrian corridor.
>
> The Commission may give positive weight to any economic benefits that the proposed EEF will have on adjacent properties, including the potential for increased business activity within the neighborhood, if that activity will foster economic development.
>
> The Zoning Commission may impose requirements pertaining to design, appearance, landscaping, parking and other such requirements as it deems necessary to protect adjacent property and to achieve an active, safe and vibrant street life.

The OP staff has also considered in our review and recommendation of the application that existing buildings will address the adverse impact issues differently than new construction.

SITE AND AREA DESCRIPTION

The site is located at the southeast corner of Eckington Place and R Street, N.E. The parcel contains an existing four-story warehouse with approximately 124,000 square feet. The property is directly adjacent to the Wholesale Flower Market and one block south of McKinley Technical

High School. The surrounding neighborhood contains both low impact industrial buildings and residential row houses.

ZONING AND RELIEF REQUESTED

The property is zoned C-M-2, Commercial-Light Manufacturing. The zoning classification permits as a matter-of-right commercial uses, moving and hauling terminal, research lab, incinerator, motorcycle repair, dry cleaning facility, public utility pumping station, repair garage, storage, light manufacturing, temporary detention or correctional institution. Special Exception relief is required for massage establishments, intermediate materials recycling facilities and EEFs.

The applicant is requesting special exception relief for an EEF with parking relief pursuant to an in accordance with the emergency regulations adopted October 16, 2000 and the special exception criteria established for this use.

Future revitalization of the neighborhood and
Potential for vibrant streetscapes and street life

The building is an existing warehouse and was previously used as a storage facility. The proposed renovations include a complete renovation of the building but do not stray from the original idea of the building. The warehouse appearance of the property will be minimized by removing 7 of the 9 loading bays along R Street. The removal of the loading bays, which face residential row houses, include the shortening of the long continuous driveway to accommodate only the two remaining bays. New curb, gutter and sidewalk will be constructed along R Street, which will improve the streetscape appearance of the property as it faces the residential area of the neighborhood.

A landscape plan has been included for the parking lot that shows the planting of four Ginko Biloba trees to be placed in pairs on either side of the parking lot entrance. Extensive shrubbery will also be added to the planting area and along the eastern side yard to buffer the parking lot.

The building will have internal security that will not be present from the street or sidewalks and therefore will not be a negative element in the building design or have a negative impact on the street activity.

The proposed use should not adversely affect the revitalization of the adjoining industrial properties and will provide a low impact use adjacent to an established residential neighborhood.

Parking

The applicant is requesting relief from the parking requirements established for the EEFs through the emergency regulations. The site currently has no on-site parking. The applicant is providing a new on-site parking lot that will bring the property closer to conformance with parking standards. The new parking lot will be constructed on the eastern side of the property and will provide twenty spaces, two of which are identified as handicap spaces. OP believes the proposed parking lot is an improvement to the current on street parking situation and does not believe the requested parking relief will have an adverse impact on the neighborhood.

Pedestrian and Vehicular Movement

The removal of the continuous driveway along R Street should increase the convenience and safety of pedestrian movement. The reduction of the driveway should also reduce the potential for vehicular conflicts. Most EEF proposals indicate that the loading requirements are quite low. After the initial construction and delivery of equipment, few trips are anticipated that will use the loading facilities. The applicant is including a new parking lot that will alleviate the need for on street parking.

OP feels that the proposal will not impede but rather will accommodate the flow of pedestrians and vehicles.

Retail uses or Future Retail Accommodation

The building was originally constructed as an industrial warehouse in an industrial zone. Therefore, the building was never intended to accommodate retail uses. However, the improvements included in the renovation will update the building to current building code standards by adding a passenger elevator, upgraded electrical service, and the removal of lead paint. The applicant has also stated that all renovations will be in full compliance with the Americans with Disabilities Act. OP believes that in this case, the lack of retail accommodations does not pose an adverse impact.

COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map designates the property as "Production and Technical Employment (PTE)." The Plan states that the PTE areas are "Restructured industrial land intended to encourage growth industries and industries with a high ratio of employees to land area occupied, such as office support systems, communications, printing and publishing, wholesaling, transportation services, food services and tourism support services; warehousing; and other commercial activities that generally do not occur to substantial degree in other areas are the predominant use."

The property is in a transitional location between residential and industrial uses. The use of the property as an EEF will provide a very low impact use adjacent to an established residential neighborhood.

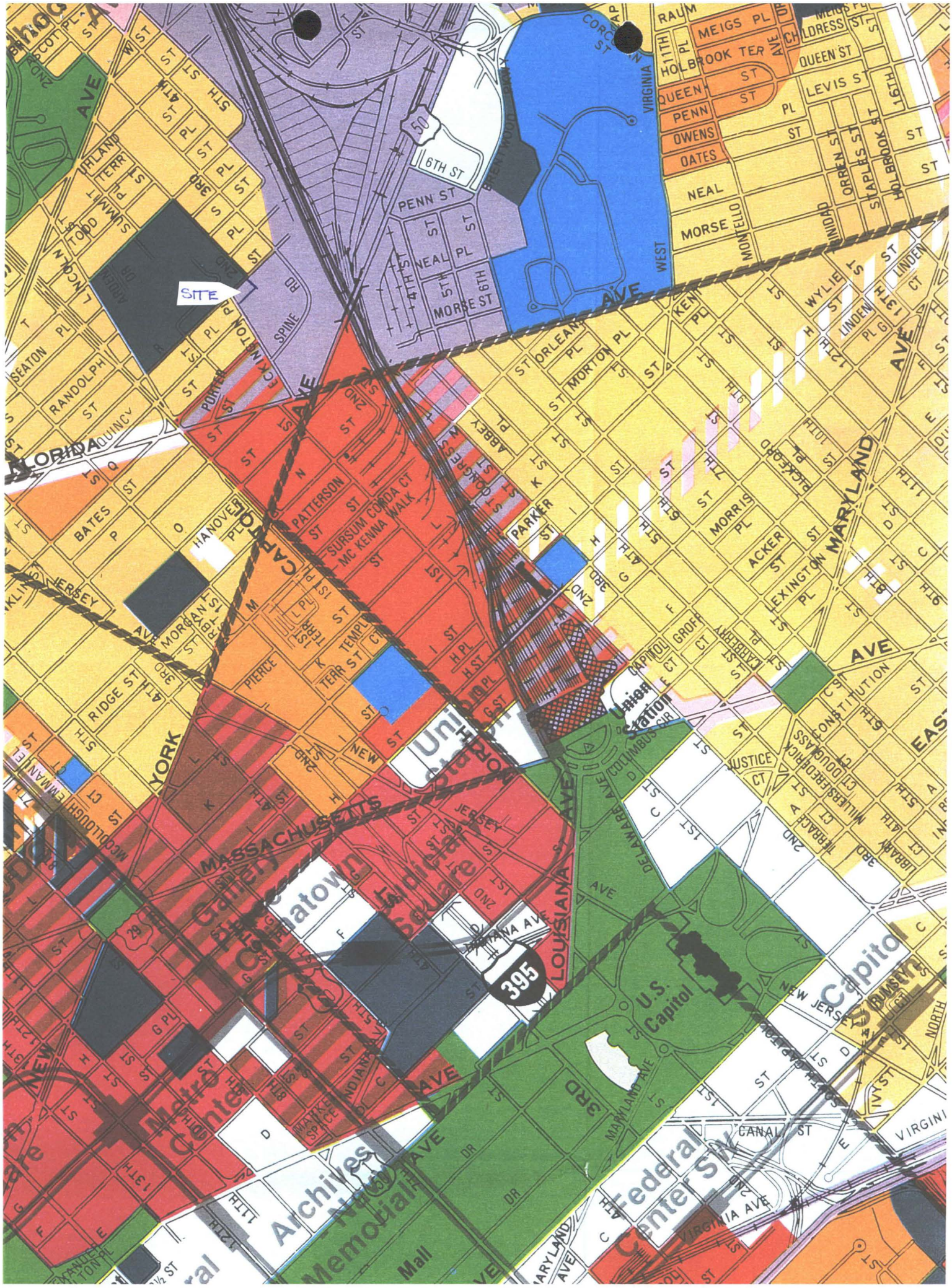
COMMUNITY COMMENTS

The applicant has provided a copy of the application to the ANC 5C, single member district representative and is awaiting response.

RECOMMENDATION

The Office of Planning recommends approval of the application. OP concluded based on the information provided that the design and operation of the proposed Electronic Equipment Facility should have no adverse impact on the community.

AA/jls$_{AICP}$


SITE
175 R ST. NE
6TH ST
PENN ST
NEAL
MORSE ST
MORSE
OATES
OWENS
PENN
QUEEN ST
MEIGS PL
HOLBROOK TER
LEVIS ST
VIRGINIA AVE
WEST
MONTELLO
TRINIDAD
ORREN ST
STAPLES ST
HOLBROOK ST
16TH
13TH
12TH
11TH
MORTON PL
ORLEANS PL
WYLIE ST
LINDEN CT
MARYLAND AVE
PARKER ST
MORRIS PL
ACKER ST
LEXINGTON PL
GROFF CT
CAPITOL CIR
CONSTITUTION AVE
EAST
JUSTICE CT
DELAWARE AVE
LOUISIANA AVE
NEW JERSEY AVE
MASSACHUSETTS AVE
NEW YORK AVE
3RD
MARYLAND AVE
CANAL ST
IVY ST
NORTH
Union Station
U.S. Capitol
Capitol
Federal Center SW
Archives
Memorial
Mall
Gallery
Chinatown
Metro Center
395
SPINE RD
PORTER ST
HANOVER PL
PATTERSON ST
SURSUM CORDA CT
MC KENNA WALK
TEMPL CT
TERR ST
H PL
H ST
I ST
K ST
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M ST
N ST
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Q ST
RANDOLPH ST
SEATON PL
BATES
RIDGE ST
PIERCE
MORGAN ST
JERSEY
NEW
MCCULLOUGH PLACE
FLORIDA
CAPITOL
YORK
ABBEY PL
KENYON ST
WILLIAMS PL
CARROLL ST
CARDOZO PL
BLAGDEN ALLEY
MASSACHUSETTS
LOUISIANA
NEW JERSEY
VIRGINIA AVE
INDIANA AVE
MARKET SPACE
PENNSYLVANIA AVE
CONSTITUTION AVE
INDEPENDENCE AVE
CONSTITUTION AVE
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