GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

D.C. OFFICE OF PLANNING
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MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: May 11, 2001

SUBJECT: Additional Comments on BZA Application No. 16702, Georgetown Incinerator Project

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APPLICATION

Application of Millennium Georgetown Partners, LLC, pursuant to 11 DCMR 3103.2 for a variance from the height requirements of Subsection 930.1, and from the floor area ratio (FAR) limitation of subsection 931.1, to construct mixed-use buildings/structures of residential, hotel and commercial uses in a W-1 District at premises 3100 South Street, N.W. (Square 1189, Lot 88).

BACKGROUND

The Office of Planning (OP) submitted a report, dated April 9, 2001, on this Application for the hearing held on April 17, 2001. **The Office of Planning recommended that the requested height and FAR variances be granted.** At its meeting on May 1, the BZA requested additional information from the Applicant, the Citizens Association of Georgetown, the Department of Public Works and the Office of the Corporation Counsel.

The variance requests are to add an extra floor of residential use, increasing the height of the residential buildings by 10 feet, 8 inches above the 40-foot height limit, and increasing the FAR of the project from 2.48 FAR to 2.89 FAR (2.5 FAR allowed in W-1 District). The residential buildings in the project are along K Street. As indicated in the April 9, 2001 OP report, and by the applicant, part of the FAR increase results from filling voids in the building that will now count as FAR. This means that although the total increased FAR for the project is about 0.4, the additional FAR that will be visible as increased mass of the project is about 0.2 FAR.

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The developer has set the added floor (fifth residential floor) back 12 to 20 feet on Wisconsin Avenue and 12 feet on 31st Street to address community concerns about view lines on those streets.

KEY ELEMENTS RELATING TO THE APPLICATION

The Office of Planning has reviewed the recently submitted materials in the package received from the Office of Zoning on May 9, 2001. The materials submitted contain additional information but, in our view, do not materially change the information previously presented or the conclusions of the Office of Planning. Key points are outlined below.

- The development, as now being developed under the W-1 zoning, is a **significant mixed-use project** with 247,886 square feet of above ground space with residential, hotel, retail and entertainment (cinema) uses.

- **This project that is now approved, and is under construction, has gone through multiple reviews.** The current project has been approved by the Office of Planning (large tract review), the Old Georgetown Board and the Fine Arts Commission, among others.

- The increased height and FAR requested allows better arrangement of some interior spaces, addition of **six additional residential condo units**, and the **addition of ten parking spaces.** The change that will be perceived is the addition of one floor to the residential elements of the project.

- The Georgetown Incinerator project is important for the Georgetown waterfront area. The height increase to add residential units is needed for funds to address the cost of the project that has been impacted by the withdrawal of the theater operator (Loews). Theaters will help animate the waterfront area. Additional information was submitted on the problems of changing the theater space to retail use. In fact, the Office of Planning believes that theaters are important for animating the waterfront area.

- The project now has 345 marked parking spaces but is to be operated as a valet garage, accommodating 500-600 vehicles. Though there is not a direct link, this project helps make it possible to eliminate the current parking on the Georgetown waterfront. Under the proposed variance, marked parking spaces would increase by 10 to 355. The National Park Service, which is responsible for development of the Georgetown Waterfront Park south of K Street, supports the project and believes the parking is important.

- The parking will also benefit the area. The Department of Public Works in their memorandum of April 30, 2001 reported on further review and repeated their

support for the project. DPW indicated it does not believe that the cumulative impact of other projects currently under construction or planned for construction in the George Washington University/West End/Foggy Bottom area would affect their support.

- Development of the site had to address historic preservation concerns, the topography, the Whitehurst Freeway along the K Street frontage and the water table problem. The major impact on development of the site was the historic preservation requirement of retaining and respecting the Incinerator Building, including the dramatic smokestack, retaining historic buildings (the Brickyard Hill House, the Red House and 3133 Copperthwaite Lane) and providing open space around the historic buildings.

- The result of retaining the historic buildings and providing open space around them is that this combined space requires a large area, approximately 33 percent of the total site area, primarily on the north side of the site. A view corridor for the Incinerator Building and smokestack extends through the site to the south and provides a view over the Whitehurst Freeway to the Potomac River.

- At this stage of construction, the basic design is set. It is not practical or desirable to change the theater space to another use. The practical solution to addressing the cost problem of providing the theater space is to add additional residential units in one additional story of residential space.

The Office of Planning believes that the combination of unique elements of the site, including the topography, the historic preservation constraints, the presence of the Whitehurst Freeway making various uses like hotel, office and residential impossible at the lower levels of the K Street frontage because of the obstructed view and other undesirable impacts, the requirements on the development by review agencies, and the unanticipated withdrawal of the theater operator result in peculiar and exceptional practical difficulties and are grounds for granting the requested variances.

We agree with the applicant that these conditions would have enabled the applicant to qualify for a variance initially. However, the applicant had been able to avoid seeking zoning relief initially, despite meeting the tests, because of the sizeable financial contribution to be provided by the theater operator. When that contribution was withdrawn, it necessitated the request for the variances. OP believes that the variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan.

The Office of Planning again recommends that the requested variances be granted.