GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: December 21, 2001

SUBJECT: BZA Application #16813 (Engine Company 20)
4300 Wisconsin Avenue, N.W. (Square 1783, Lot 804)

APPLICATION

The application by the District of Columbia requests, pursuant to 11 DCMR 3103.2, a variance from the provision of Section 771.3, the maximum floor area ration (FAR) in the C-1 District to allow an addition to an existing fire station that is nonconforming as to FAR under Section 2001.3.

SUMMARY RECOMMENDATION

The proposed increase of the FAR on Station #20 is justified due to the age of the building, its historic character, and an overriding need to provide necessary fire fighting and emergency facilities. Trying to conform to the requirements of the C-1 District would be burdensome to the applicant and would not result in a fire station that could accommodate the required equipment. The proposal will maintain the intent, purpose, and integrity of the Zoning Regulations and Map and therefore the Office of Planning recommends **APPROVAL** of the requested variance.

SITE AND AREA DESCRIPTION

The subject site (Square 1783, Lot 804) has housed the Tenleytown Fire Station #20 since 1900. A portion of the building is two-stories and accommodates a truck and an ambulance with dorms and other facilities on the second floor. The one-story portion of the building houses a ladder truck.

The property is bounded by Wisconsin Avenue to the east, Tenley Mini Mart, (a neighborhood store) to the north, Warren Street to the south, and 40th Street to the west (Attachment 1). The property is located in the area generally know as Tenleytown and is surrounded by a variety of uses. To the immediate north, south, and east of the site along Wisconsin Avenue is a number of

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neighborhood serving retail uses. To the west of the site are predominantly two-story, single-family, detached houses while to the southwest are two-story, single-family, semi-detached houses.

PROPOSAL

The applicant proposes to demolish the one-story ladder truck bay and replace it with a two-story addition. Additionally, the façade of the portion to be retained will be restored and the interior completely renovated. The existing building that was built in 1990 with an addition in 1934 has a FAR of 1.38. The building became a non-conforming structure at the time of the modern Zoning Regulations that allowed buildings in the C-1 District a maximum FAR of 1.0. The proposed addition will increase the FAR to 2.14.

ZONING REQUIREMENTS

The subject property is in the C-1 District. This District is designed to provide convenient retail and personal service establishment with minimum impact on the surrounding residential community.

COMPREHENSIVE PLAN

The Comprehensive Plan Map recommends low density commercial with shopping and service areas that are generally low in scale, character and activity and that provide a limited range of retail goods and services as the predominant uses. The Ward 3 Plan supports the renovation of the fire station and recommends in Section 1405.2 (3) that several fire stations in Ward 3 need renovations and enlargement. Additionally, Section 1405.1(i) recommends that *"For Ward 3 the major issues regarding public facilities focus on the continuing need for rehabilitation and maintenance . . ."* Further, Section 1405.4(a)(2)(G) recommends that *"All renovation and upgrading of fire and emergency service facilities should occur on-site or on adjacent land acquired for this purpose (and must be sensitive to existing architectural qualities);"*

ANALYSIS

As stated above, the Tenley fire station was originally constructed in 1900 with an addition in 1934. Over the years, there have been minor renovations to meet minimum standards, but the building has outgrown its ability to house modern equipment to adequately provide the necessary service to the community. Currently, the equipment at the facility includes; a pumper truck, a ladder truck, and an ambulance. The proposed improvement to the facility will allow the addition of two major pieces of equipment, a larger ladder truck (this truck was purchased for this station but was kept at another fire station because it cannot be accommodated in the building) and a rescue squad.

Historic Preservation

The fire station has been nominated for landmark status by the Capital Fire Museum. This nomination automatically prevents any demolition of the building at this time prior to review and designation. Previous to that nomination being filed, the Fire Department has worked with the ANC and the Tenleytown Historical Society to come to a compromise agreement to preserve a portion of the existing structure and replace the remainder with a new building that is compatible with the historic character of the original building. However, the Capital Fire Museum was not involved in these negotiations. Recently, the Fire Department has stated that they intend to try and discuss their proposal with the Capital Fire Museum with the intention of recommending that they withdraw the nomination and allow the renovation and construction to proceed in a timely manner. If the nomination is not withdrawn, the Historic Preservation Review Board (HPRB) will review the landmark application on January 24, 2002. If designated as a landmark by HPRB, then the design will be further reviewed by Historic Preservation Staff in OP and possibly by the Mayor's Agent. Additionally, the design of the building is required to be reviewed by the Fine Arts Commission.

Parking

Currently, there are no designated parking areas on the site and therefore the fire personnel park in the rear and side of the fire station or use on-street parking. The number of parking spaces required is minimal, as some firefighters carpool to the station, which reduces the demand for spaces. Firefighters work in 24-hour shifts and usually there are approximately 5-7 cars. With the renovation and addition to the facility, parking cannot be accommodated in the rear or side yard. The applicant has stated that they intend to continue utilizing on-street parking spaces and will request that the Department of Transportation designate that portion of Warren Street that is adjacent to the fire station for the fire station personnel only.

§2001 – Nonconforming Structures Devoted to Conforming Use

The building is a non-conforming structure built in 1900 with an addition in 1934, prior to the enactment of the modern Zoning Regulations. The building currently exceeds the maximum FAR. The maximum FAR permitted in the C-1 District is 1.0 and the FAR of the building is 1.36. The extension of the existing building into the rear yard will further increase the FAR to 2.34 thereby increasing the nonconforming FAR. Therefore, a variance from Section 2001.3 is requested.

> **"2001.3 Enlargements or additions may be made to the structure; Provided, that the following requirements shall be met:**
>
> **(a) The structure shall conform to percentage of lot occupancy requirements; and**

(c) The addition or enlargement itself shall not increase or extend any existing, nonconforming aspect of the structure, and shall not create any new nonconformity of structure and addition combined."

The standards by which the BZA should approve a variance is set forth in §3103.2 of the Zoning Regulations. The following demonstrates how these standards are met:

"The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;"

The property is unique due to an exceptional situation in that it is developed with a very old building that does not meet current requirements of the Building Code. Additionally, this facility is unique to the area as it is a public facility.

"By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property."

Due to the existing nonconformities of the building and the need to preserve the majority of the building due to its historical significance, not increasing the nonconformity would be a practical difficulty to the applicant. If the applicant were not able to increase the nonconformity, then the facility would not be able to accommodate equipment to meet the needs of the community.

"The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The proposed variance request to increase the FAR will not be a detriment to the surrounding community as there are a number of buildings along Wisconsin Avenue with a similar or larger bulk. The increased height of the building will not affect the residences to the rear of the site due to a change in the topography. The fire station is at a lower elevation than buildings west of 40th Street. Additionally, the improved facility will allow for the provision of improved service to the community as well as an improved facility for the personnel. Granting of the variance will not cause "substantial detriment to the public good" but will enhance the neighborhood through the renovation of an existing building, and will provide neighborhood services that have been requested and supported by the businesses and residents of the community.

The expansion will not impair the intent, purpose or integrity of the Zoning Regulations and Map, as this is a public facility that has specific requirements in order to meet its mandate to serve the public and has specialized requirements that have not been fully addressed in the

Zoning Regulations. The Zoning Regulations permit the location of public facilities in any zone in order to serve the community.

§771.2 Floor Area Ratio

Section 771.2 allows a maximum FAR of 1.0 in the C-1 District. The existing building currently has a FAR of 1.34 and is therefore a nonconforming building. Because of the small size of the lot, the need to provide additional space to house necessary equipment, and the need to preserve the historic character of the existing building, the applicant has no other choice but to increase the FAR of the building on that site. The intent of the FAR and other requirement is to ensure that open space, light, and air are provided to all properties. This intent will not be thwarted by the proposed addition to the existing building as the station is bounded by roadways on three sides and will not negatively impact the adjacent mini-mart or the residences to its rear.

The following demonstrates how the standards of the variance are met:

> **"The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;"**

The property is unique due to a number of factors that combine to make an exceptional situation. The building already exceeds the maximum FAR, it has historical significance, and is a public facility that does not easy fit into the requirements of the C-1 District.

> **"By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property."**

Due to the exceptional situation outlined, it is impossible to meet the requirements of the Zoning Regulations and if the applicant tried to meet the Zoning requirements it would most likely require the complete demolition of the existing building and re-construction a new facility. If a new facility were to be considered, it would entail the demolition of a building that has strong historical significance to the community. If the applicant were to retain and renovate the building at its existing FAR it would present a hardship to the fire department as they still would not be able to acquire the needed equipment to service the community.

> **"The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."**

The variance will not be detrimental to the public good, in fact, the variance will allow the fire department to modernize the existing facility for both the fire personnel's and the community's

benefit, preserve the historic façade of the existing building, and allow for an expansion to accommodate additional equipment. The proposal upholds the intent, purpose, and integrity of the Zoning Regulations and Map because although the increase in the FAR more than doubles the maximum allowed in the C-1 District, the building will not be out of character with other buildings along Wisconsin Avenue and will not cast a shadow or affect the light and air on residential properties to the west (rear) of the fire station. Further, it complies with the recommendation of the Ward 3 Plan that existing fire stations should be renovated on their existing sites or on acquired adjacent land. There are no adjacent lands to be purchased and therefore the increase in FAR on the existing site is necessary.

COMMUNITY COMMENTS

The applicant has had numerous meetings with ANC-3E and the Tenleytown Historical Society at which time they discussed and reached a compromise on a design which preserves a major portion of the existing building which will be restored and an addition which is compatible with the historic portion. At its December 14, 2001 meeting, ANC-3E voted to recommend approval of the requested variance.

SUMMARY AND RECOMMENDATION

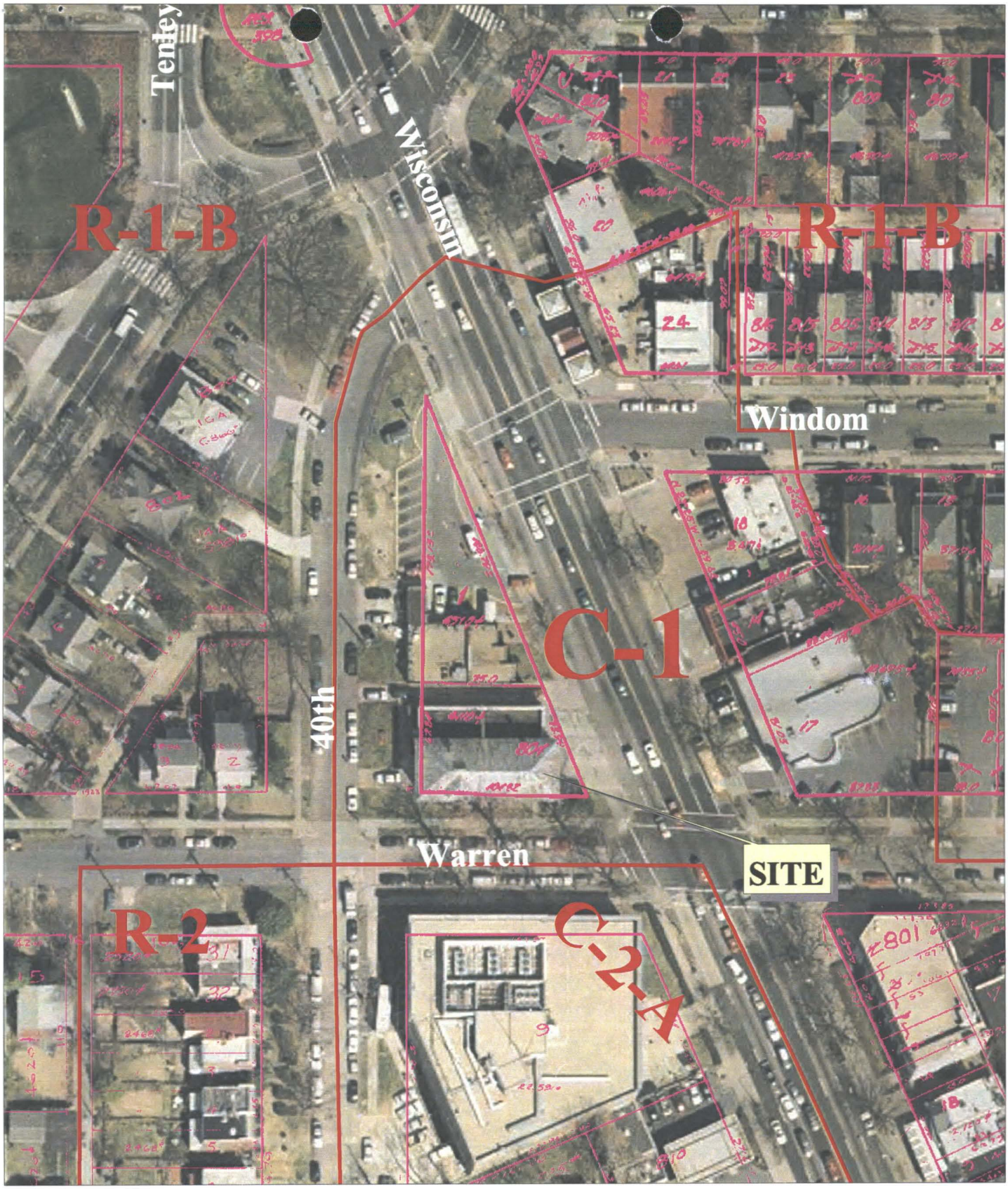
Station #20 has existed at this location of approximately 100-years and has always provided fire and/or emergency service to the surrounding community. As the community has grown and the demands has increased, the fire station has made changes but not sufficient to adequately and efficiently serve the community. In addition, not only has the station not serve the community, but the building structure has deteriorated and the accommodations for the personnel have not been the most sanitary. The fire department was prepared to demolish the entire facility and replace it with a modern structure but the community has expressed its desire to preserve the main portion of the building and add a compatible addition. The fire department was willing to work with the citizens and their collaboration has resulted in a design that is satisfactory to both parties.

Currently, Station #2 has a great need to have the necessary equipment to perform fire fighting and emergency services especially at a time when they are required to respond to more threatening situations such as possible chemical and biological attacks. Trying to conform to the requirements of the C-1 District would be burdensome to the applicant and would not result in a fire station that could accommodate the required equipment. The proposal will maintain the intent, purpose, and integrity of the Zoning Regulations and Map and therefore the Office of Planning recommends **APPROVAL** of the requested variance.

ATT:

1. Site Location

AA/mbr



Feature Key

- Property Lines
- Zoning Boundaries

4300 Wisconsin Avenue, N.W.
Fire Station 20

DC Office of Planning
December 11, 2001

Scale 1:1000

25 0 25 Feet

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