GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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D.C. OFFICE OF ZONING
2002 APR 19 PM 1:30
RECEIVED

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: April 19, 2002

SUBJECT: Board of Zoning Adjustment Case No. 16865
Mather Building
916-918 G Street, NW
Square 376 Lot 802

The attached report concerning the above referenced case is being submitted less than 7 days prior to the Board of Zoning Adjustment's Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

ZONING COMMISSION
District of Columbia
Case 16865
Exhibit 24

Board of Zoning Adjustment
District of Columbia
CASE NO.16865
EXHIBIT NO.24

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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MEMORANDUM

DATE: April 19, 2002

TO: District of Columbia Board of Zoning Adjustment

THROUGH: Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: Board of Zoning Adjustment Case No. 16865
Mather Building
916-918 G Street, NW
Square 376 Lot 802

SUMMARY

The applicant, P.N. Hoffman, Managing Member of Mather Building Lofts LLC, the owner of the subject property seeks approval of a variance from the recreation space requirements of §773 and a variance from the expansion of non-conforming structures requirements of §2001.3 under §3103 in the DD/C-4 zone district. The applicant proposes renovation of the historic Mather Building to provide arts space, affordable housing, and market rate housing.

Recommendation:
The Office of Planning recommends approval of the variance from §2001.3 based on the following findings:

- The existing condition of the subject property creates an exceptional situation that requires zoning relief, due to existing non-conformities of the historic structure.
- This exceptional situation creates a practical difficulty in providing any permitted changes to the building, as the Zoning Administrator has determined that the demolition of an existing non-conforming penthouse and construction of a new conforming penthouse violates the provisions of §2001.3.
- The proposed addition will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan, because the penthouse that will be constructed will increase the

conformity of the building with the zone plan in regards to penthouse requirements.

The Office of Planning recommends approval of the variance from §773 as requested based on the following findings:

- The existing condition of the subject property creates an exceptional situation that requires zoning relief, due to existing non-conformities of the historic structure.
- This exceptional situation creates a practical difficulty because of the following reasons:
  - The existing lot coverage and building footprint configuration creates practical difficulties in providing outdoor recreation space. The building, originally designed as an office building, is being converted into a residential/arts use and did not provide outdoor open space in its original design. In consideration of historic preservation goals, a partial demolition of this building to create outdoor recreation space would be impractical.
  - The small rooftop footprint causes practical difficulties in providing rooftop recreation space.
  - The strict interpretation of the definition of recreation space does not give the project credit for the 6,500 square feet of arts space that will provide many of the intended benefits of recreation space.
  - Provision of recreation space within the building would be contrary to the goals of the District in its sale of the building to provide arts space, affordable housing and housing.
- The proposed variance from required recreation space will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan, because the proposed arts space, the adjacent YWCA recreation center and the proximity of recreational opportunities downtown will provide adequate alternative recreation opportunities for the residents.

Background

The subject property is located a 916-918 G Street, NW (Square 376, Lot 802) and is occupied by a 10-story Gothic Revival style building built in 1917. The building is a contributing structure in the Downtown Historic District and was formerly used for college purposes by the University of the District of Columbia. After sitting vacant for approximately 10 years the property was sold by the District to Mather Building Lofts LLC in a competitive bid. In order to meet the goals of the District to provide housing in the downtown area, provide affordable housing and provide art space, the sale of the property was conditioned on meeting these goals.

The subject property is in the DD/C-4 zone. This zone usually attracts high density commercial development, so the development of housing, affordable housing and arts space plus the costly repair and restoration of the historic façade of the building required that incentives put in place by the District for development of the property for these preferred uses. The development of the property as proposed will provide an important piece of the District's plan to create a living downtown.

The applicant has received conceptual approval from the Historic Preservation Review Board.

Project Description

The applicant proposes to provide 49 dwelling units and 6,500 square feet of arts space. The arts space will occupy the first floor and part of the second floor and provide a gallery, dance studio, and other arts related opportunities. The remainder of the second floor and the third floor will provide affordable artist work/live space. The renovation requires the major change of relocating the elevator core from the front edge of the building to the middle of the building. This change results in demolition of the existing non-conforming penthouse and construction of a new conforming penthouse. The building will be provided with a new underground parking level. Due to practical difficulties discussed below, the rooftop cannot provide usable recreation space accessible to all residents. The rooftop is divided into smaller private recreation spaces for the residents of the top floor.

Comprehensive Plan

The Comprehensive Plan sets goals of providing housing and arts space downtown.

900.3 The key land use concept for Downtown is a balanced mixture of uses to attract a variety of persons, such as District residents, suburban residents, and out-of-town visitors. The most important uses are retail, hotel, residential, and arts and culture. Although private office space will also be important, the concept of the "Living Downtown" recognizes that special efforts will be needed to attract the other desired uses.

900.7 A significant residential community is necessary to a vital Downtown. A general target of five thousand four hundred (5,400) residential units has been established, a significant increase from the base of one thousand eight hundred (1,800) units. There are housing opportunities north of Pennsylvania Avenue, N.W., with the major opportunities between 6th and 9th Streets, N.W., but with additional opportunities throughout Downtown. An increase to about six thousand seven hundred (6,700) Downtown residents is proposed. The Interactive Downtown Task Force (1996) recommended achieving at least 5,000 new housing units, partly in Downtown and partly in the area north of Massachusetts Avenue, N.W.

900.8 Museums, theaters, galleries, studios, and related restaurants and cafes attract residents and visitors by day and night. Space for the arts in Downtown should be increased:

(a) The general target for public arts space calls for almost doubling existing space, from four hundred seventy thousand square feet (470,000 ft.^{2}) to nine hundred thousand square feet (900,000 ft.^{2}); and

(b) Cultural and entertainment uses should be actively encouraged to remain and expand, particularly along 7th and E Streets, N.W., where the arts are already beginning to flourish.

This development furthers these goals.

Zoning

Extraordinary or Exceptional Situation

Several factors contribute to the exceptional situation of this property. One, the building is an existing historic structure, developed initially as commercial space. Therefore, no accommodation was made for outdoor recreation space in development of the lot. The building was developed on 92% of the lot and the 8% open space provided is divided into small unusable and non-conforming courts along the sides of the building. Second, the existing lot location, situated at mid-block and flanked by existing large buildings, exacerbates the size and building foot print constraints. This makes redevelopment challenging and limits the design and development of outdoor recreation space. The third factor is the height of the building, which limits the height and location of roof top structures.

Practical Difficulty

The practical difficulty test must be considered separately for each variance. The first variance, which was determined to be necessary by the Zoning Administrator, is from §2001.3. This section limits the expansion of non-conforming structures. The trigger for this is the proposed demolition of the existing non-conforming penthouse that does not meet the setback requirements for a penthouse and subsequent construction of a new penthouse. The Zoning Administrator has determined that the demolition of an existing non-conforming penthouse and construction of a new conforming penthouse violates the provisions of §2001.3; therefore, the only option that would not require a variance would be continued use of the existing elevator. Because of its location in the building use of the existing elevator would present practical difficulties in the residential development of the building.

The second variance, from the recreation space requirements of §773 requires exploring the practical difficulties encountered in trying to provide the recreation space. The existing lot coverage and building footprint configuration creates practical difficulties in providing outdoor recreation space. The building, originally designed as an office building, is being converted into a residential/arts use and did not provide outdoor open space in its original design. In consideration of historic preservation goals, a partial demolition of this building to create outdoor recreation space would be impractical.

The small rooftop footprint causes practical difficulties in providing rooftop recreation space. Rooftop recreation space, if provided, would require two staircases (according to the Fire Marshal), and because of height constraints, an expensive "side-slung" elevator (elevator access to the roof would be required for ADA accessibility). The space required for these appurtenances combined with the rooftop setback requirements leaves narrow bands of roof top space that would have limited recreational value (see Attachment 2).

The strict interpretation of the definition of recreation space does not include the 6,500 square feet of arts space that will provide many of the intended benefits of recreation space. The arts space, which will be managed by the Cultural Development Corporation, is programmed to provide a small auditorium, art gallery and a dance studio. By arrangement between the condo association and the Cultural Development Corporation, residents will have some access to these facilities. That arrangement is being worked out, and we expect that the applicant will provide additional details at the hearing.

Provision of recreation space within the building would be contrary to the goals of the District in its sale of the building to provide arts space, affordable housing and housing. Providing recreation space within the building would necessarily impact the space available for the preferred uses of the building. These uses are more important than the recreation space, which is readily available in alternative locations as discussed below.

Substantial Detriment

The proposed penthouse addition will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan, because the penthouse that will be constructed will increase the conformity of the building with the zone plan in regards to penthouse requirements. The existing non-conforming penthouse will be removed, increasing the conformity of the structure. The construction of the new conforming penthouse will not increase the non-conformities of the existing courts.

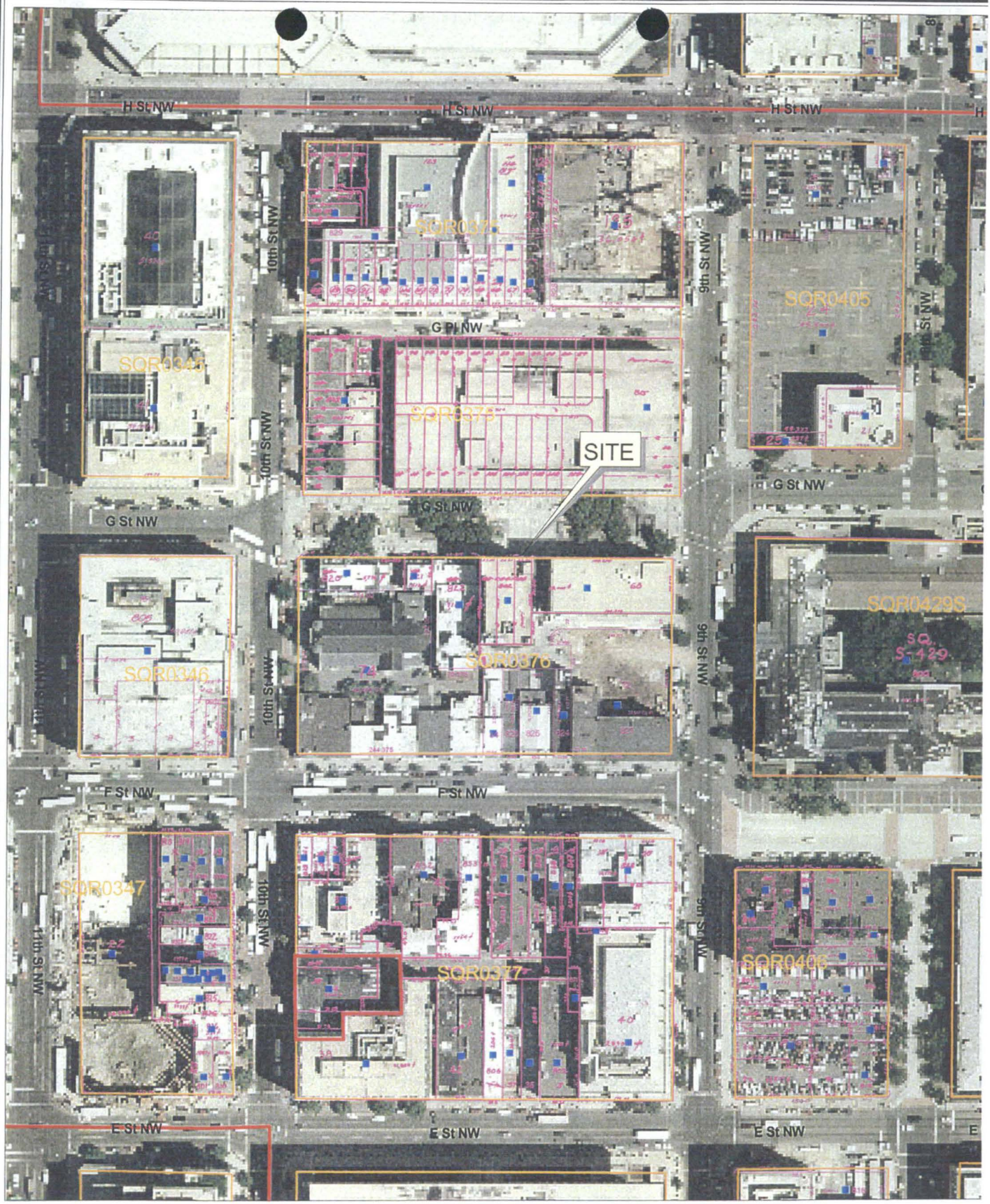
The proposed variance from required recreation space will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan, because the proposed arts space, the adjacent YWCA recreation center and the proximity of recreational opportunities downtown will provide adequate alternative recreation opportunities for the residents. As discussed above, the arts space will provide the residents, by pre-arranged fee, access to the recreational opportunities provided by the space. The adjacent YWCA is currently underutilized and welcomes the opportunity to meet the recreational needs of the new residents. Finally, the location of the building in the downtown provides a wealth of recreational opportunities.

Recommendation

The Office of Planning recommends approval of BZA application 16865 requesting a variance from the requirements of §§2001.3 and 773.

ATTACHMENTS:

1. Location Map
2. Letter from PN Hoffman re: Rooftop rec space



Feature Key

Zoning Boundaries

Square Index

Board of Zoning Adjustment
Application No. #16865

DC Office of Planning
April 15, 2002

Scale 1:2108

25 0 25 50 75 100 Fee

Attachment 1

HOFFMAN
construction
development

April 16, 2002

District of Columbia Government
DC Office of Planning
801 North Capitol Street, NE, Suite 4000
Washington, DC 20002

Attention: David J. McGettigan, AICP

Dear David:

Pursuant to our meeting, we are forwarding to you a sketch, which depicts a common roof terrace for the Mather Building. This roof terrace is unacceptable to us because it is impractical and unduly burdensome to develop. Conversely, utilization of the arts space for recreation purpose is practical and efficient.

With respect to the roof deck, the total potential roof deck size is only approximately 180 square feet. To accomplish this we would have to perform the following:

- Add a separate elevator accessing the roof in order to be ADA compliant. We have been advised that since we are constructing a new conforming penthouse the chance and durability of a waiver is marginal thus leaving us with unacceptable liability. As an alternate solution, we attempted the use of a non conventional side sling elevator however, the additional carriage and structural retrofit necessary for this type of elevator was more expensive than adding a separate elevator.
- Add a separate common stair for two means of egress.
- Add separate corridors for remote egress routes to stairs.
- Redesign and relocate the mechanical room in the penthouse.
- Relocate ventilation, plumbing, and electrical risers.
- Redesign the trash room and eliminate a storage area on the 10th floor to facilitate an added elevator.
- Add privacy screens to shield private and public terrace.
- Add security and maintenance provisions to the elevator, its lobby, and the terrace.
- Add a HVAC system for the new common lobby.

4725 Wisconsin Avenue, NW Suite 200 Washington, DC 20016 202/686-0010 Fax 202/686-0089

- Add another elevator equipment room for the new elevator.

In addition to adding the aforementioned elevator, equipment, stairs, corridors, and accessories, the optimum original design efficiency is severally reduced. A total of approximately 1,050 SF of residential area is lost in order to gain approximately 180 SF of common roof deck space. Further, the view from this proposed deck is restricted and looks over an existing roof. A photograph of this view is forthcoming. Finally, our own survey data demonstrates that, given its limitations, the financial burden of maintaining the space, and other options of which are available, the consumer is not particularly interested in this roof top area.

Alternatively, utilization of the Cultural Development Corporations (CDC) space which exceeds the Arts overlay requirements (.5 FAR) by approximately 3,000 SF, can be, and should be utilized to fulfill the recreations space requirement. (See Attached Sketches) We've spoken with Ann Corbit, who heads CDC, and they will be flexible with respect to use of the auditorium as a meeting area by the Condo Association on a monthly basis. Also other recreational qualified facilities are available at nominal fees on an as needed or wanted basis. Moreover, free 'events' will be conducted and available to the residents from time to time.

The CDC arrangement is actually better for the Mather Studio residents, 30% of which are low or mid income. This is because, otherwise, they would have to pay the real estate taxes, liability and property insurance, management, security, reserves, operational consumption, and ongoing maintenance of the facilities, whether they used them or not, in the form of higher condo fees.

In short, utilization of the CDC space is a unique solution to fulfill the spirit of recreation requirements, when, otherwise, practical difficulties relating to the existing historic structure and the explicit development plan promoted by the District of Columbia make it unachievable.

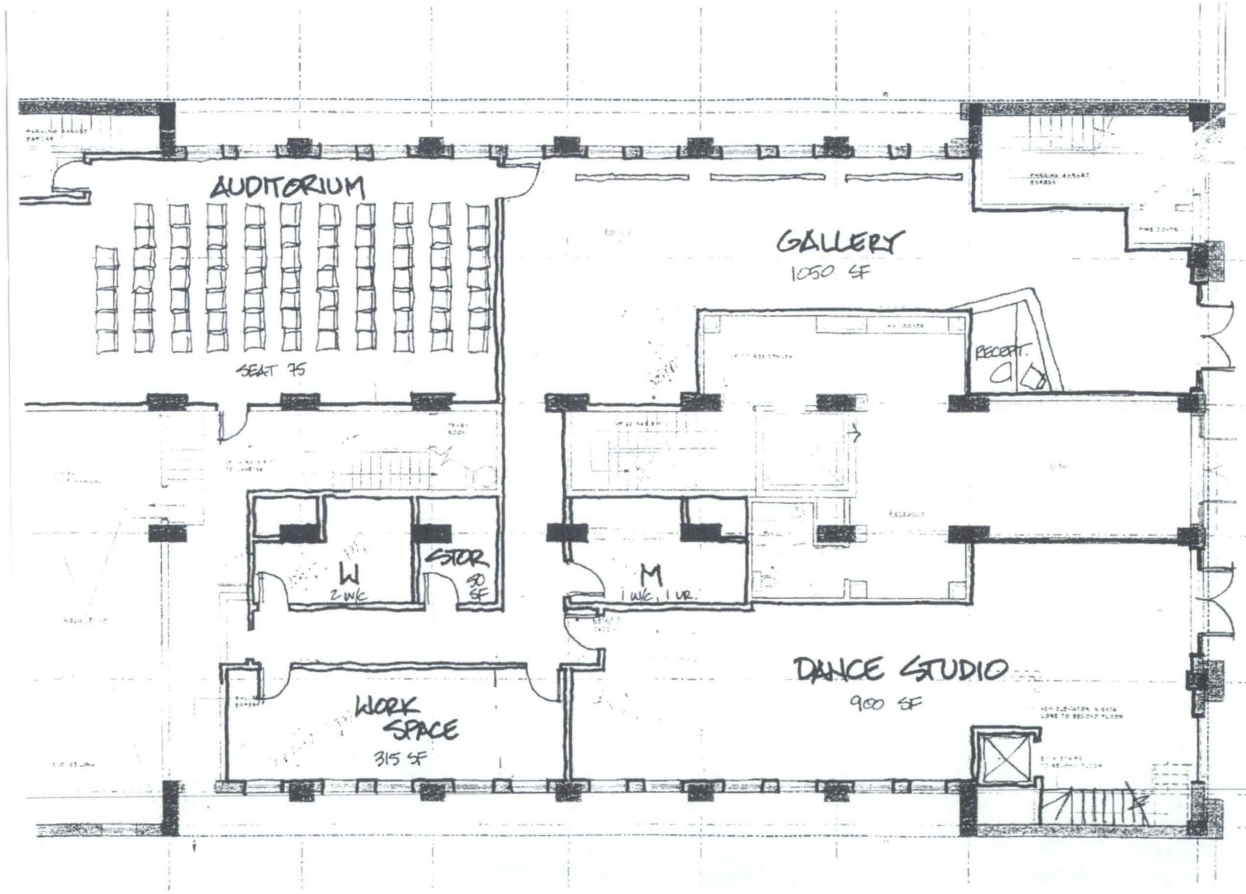
Please consider this amended statement, in response to our meeting last week, as our best and final effort to gain the Office of Planning's support for our Application No. 16865 variance.

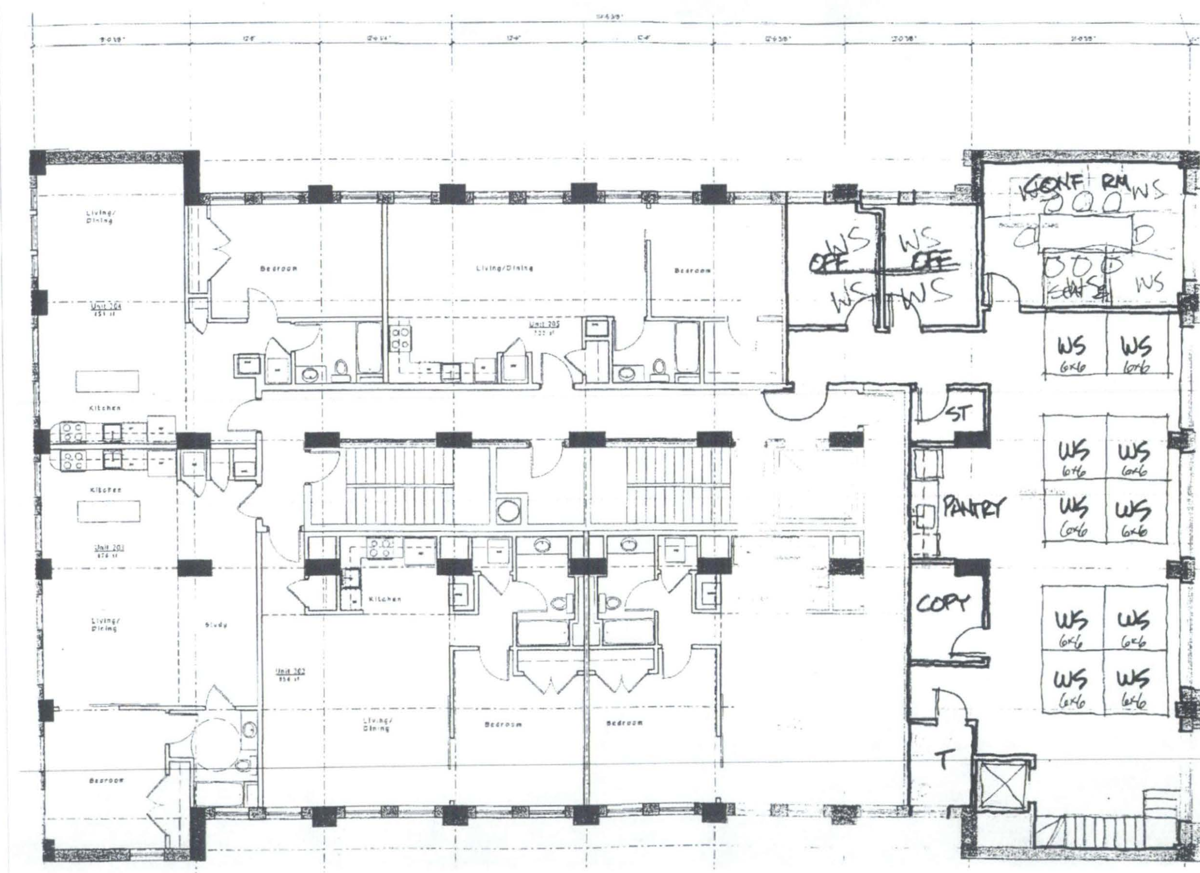
Sincerely,

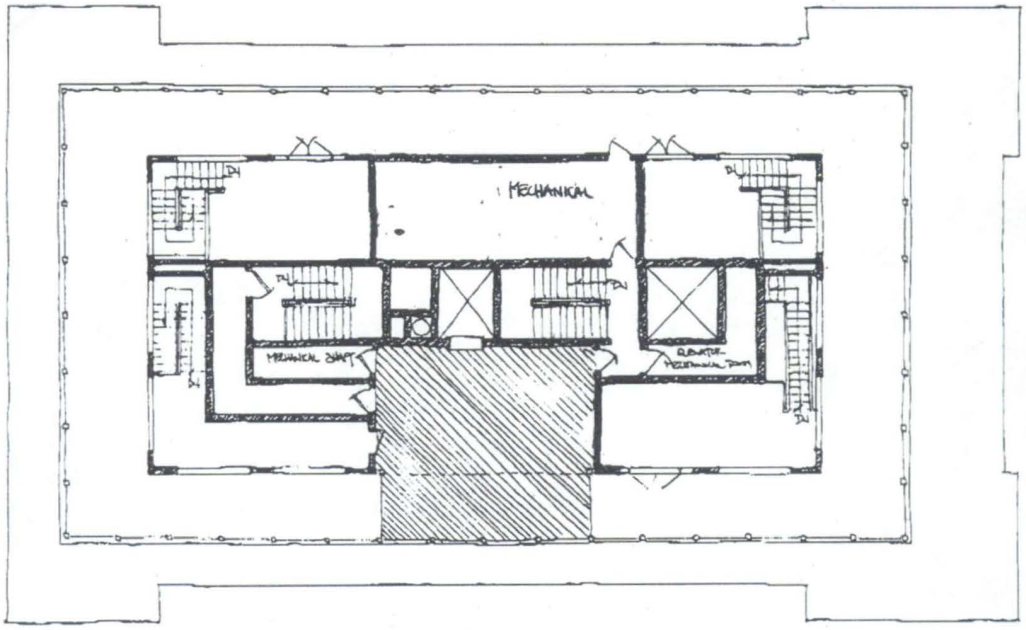
P.N. Hoffman, Inc.

Monty Hoffman

Amr/LHH


AUDITORIUM
SEAT 75
GALLERY
1050 SF
RECEPT.
W
2 WC
STOR.
30 SF
M
1 WC, 1 UR.
WORK SPACE
315 SF
DANCE STUDIO
900 SF


Living/Dining
Bedroom
Living/Dining
Bedroom
Kitchen
Kitchen
Living/Dining
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PENTHOUSE STUDY ~ MATHER BUILDING

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