GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: December 10, 2002

SUBJECT: BZA Application 16957 - Request filed by Holland & Knight LLP for a **special exception** for the proposed construction of a 13-story extended stay hotel building proposed by Southwest Capitol Properties, LLC, for property located on the north side of E Street and the south side of Virginia Avenue, mid-block between Third Street and Fourth Street, S.W.

APPLICATION
Application of Southwest Capitol Properties, LLC for:

> **Special exception relief pursuant to §§411.11 of Title 11 DCMR** from the strict application of the roof structure requirements;

for the property on the north side of E Street and the south side of Virginia Avenue, S.W., Square 537, Lot 809. The property is zoned C-3-C, high bulk major business and employment center.

SUMMARY RECOMMENDATION
The Office of Planning recommends approval of the request for special exception relief, as submitted by the applicant.

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BZA
Case No. 16957
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO.16957
EXHIBIT NO.24

PROJECT DESCRIPTION

The project is an extended stay hotel consisting of 233 efficiency, one and two-bedroom units within a 13-story, 130-foot high building. Two levels of underground parking will provide 90 parking spaces, including 4 spaces reserved for the physically handicapped. The first floor of the building will be improved with administrative offices, reception, common areas, a breakfast room and kitchen, housekeeping facilities and a small grocery/gift shop. The second floor will include an indoor pool and exercise room, a roof terrace, a vending area and guest laundry facilities, in addition to some of the extended stay units. The remainder of the building will be improved as extended stay units. The penthouse will provide access to rooftop mechanical equipment and will include elevator and staircase access to the roof.

The building is proposed to be in the shape of an upside down letter "T", with the top part of the "T" extending across the E Street frontage, and the base of the "T" extending northward towards Virginia Avenue. The penthouse is proposed to be 18 feet, six inches in height, and located at the juncture of the two parts of the "T". The penthouse is set back 25 feet, 1-7/8 inches from the south side, or front of the building. It is set back 12 feet, 2-1/8 inches from the west side of the building and no setback is provided along the north side of the building. Two courts are proposed to be provided as a result of the "T" shape of the building, one on each side measuring 32 feet in width.

Pedestrian and vehicular access is proposed to be from E Street.

AREA DESCRIPTION

The subject property is Lot 809 in Square 537 in the South West quadrant of the District, consisting of approximately 26,992 square feet. It is located on the north side of E Street, mid-block between 3rd Street and 4th Street, and south of Virginia Avenue and railroad tracks utilized by Amtrak and VRE. The portion of Virginia Avenue adjacent to the subject property has been closed and is improved as the railroad tracks. The site and the entire square are currently vacant, as the previous improvements, which included offices and aboveground parking, have been removed.

The surrounding area is primarily characterized by office development. To the north, across the railroad tracks and Virginia Avenue, is The Washington Design Center, which includes some ground level retail and the entrance into the Federal Center SW Metrorail Station. To the east, across 3rd Street, is a PEPCO facility. To the south, across E Street, is a 9-story office building that is a part of Independence Square that is occupied by the National Aeronautics and Space Administration and some ground level retail. To the east, across 4th Street, is the First District Headquarters of the Metropolitan Police Department and an 8-story office building.

The area has been identified on the Generalized Land Use Policies Map 2 as being located within the central employment area.

EXISTING ZONING

The property is located within the C-3-C district.

C-3 Major and Employment Centers
"The C-3 district is designed to accommodate important sub-centers supplementary to the Central Business district."(§740.1)

"C-3-C districts shall permit medium-high density development, including office, retail, housing, and mixed use development. They shall be compact in area." (§740.8)

RELIEF REQUESTED:

Special Exception pursuant to 411 – Roof Structures
Section 411 sets forth the area, placement and density requirements for roof structures. Section 411.2 requires that roof structures be in conformance with §770.6, which requires that roof structures be set back from all exterior building walls a distance equal to their height. Section 411.11 empowers the Board of Zoning Appeals to approve the location of roof structures when conformance is *"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..."* provided that the intent and purpose of the Chapter and Title 11DCMR *"shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely."*

This special exception request is necessary due to the shape of the building, and the size of the property. The subject property is only 120 feet in width, and the width of the building at the rear is 56 feet. As a result, the maximum width of the roof structure that may be permitted by right is 19 feet within the area of the building that forms the base of the "T", which the application states is insufficient to accommodate stairs, elevators and mechanical equipment to service the building. In order to provide windows into each of the extended stay units, the building has been designed so that it narrows at the rear. If the proposed building were an office building, it could potentially extend out to the side property lines, increasing the setback from the edge of the building sufficient enough to meet the minimum setback requirement.

Light and air of adjacent buildings should not be adversely affected, as there are no adjacent buildings. The roof structure is proposed to be set back more than the minimum requirement from the front, along E Street, across from which there is an existing building. The roof structure will also be set back a minimum of 32 feet from the side lot lines due to the proposed courts, reducing the impact the reduced setback will have on adjacent properties when those properties are developed.

It is the Office of Planning's conclusion that the applicant has satisfactorily met the criteria for special exception relief of Section 411.2 and that in granting the relief, the intent and purpose of the chapter "shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely."

COMPREHENSIVE PLAN
The Comprehensive Plan includes the following policies:

> *"Encourage the full development of hotels and lodging facilities in the Downtown area..."* (203.2(h))

This Comprehensive Plan includes the following objective for Ward 2:

> *"Spur growth of the "visitor industry" by attracting additional visitors of all types and increasing their average stay in Washington and by..."* (1301.1(e))

The Generalized Land Use Map recommends the Medium-High Density Commercial land use category for the subject property- "A shopping and service area that generally offers the largest concentration and variety of goods and services outside the Central Employment Area is the predominant use. Most customers arrive by car, bus or subway."

COMMUNITY COMMENTS

ANC 2D informed the Office of Planning that they voted 5 to 0 in support of the special exception request at their meeting of November 18, 2002.

RECOMMENDATIONS

The Office of Planning has reviewed the application in terms of the property's zoning, the intensity of use, the character of the neighborhood and the standards for special exception. The Office of Planning concludes that the special exception meets the required criteria and can be granted "without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map."

The Office of Planning recommends approval of the following:

> **Special exception relief pursuant to §411 of Title 11 DCMR** from the strict application of the roof structure requirements, as submitted by the applicant.

AA/sjm$_{AICP}$



Feature Key

Zoning Boundaries

Square Index

Board of Zoning Adjustment
Application No. 16957

DC Office of Planning
December 2, 2002

Scale 1:1407

25 0 25 50 75 100 125 150 175 Feet

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Attachment 1