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September 14, 2004

NORMAN M. GLASGOW, JR.
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Internet Address:
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VIA HAND DELIVERY

D.C. Board of Zoning Adjustment
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: BZA Case No. 17207
Pre-Hearing Submission

Dear Members of the Board:

On behalf of the applicant, 1515 14th Street LLC, I enclose an original and twenty (20) copies of the pre-hearing submission for the above-referenced matter.

Please do not hesitate to contact me should you have any questions or comments.

Very truly yours,

HOLLAND & KNIGHT LLP

Norman M. Glasgow, Jr.

Enclosures

cc: Travis Parker, Office of Planning (via Hand Delivery, with attachments)

2248742_v1

BZA
Case No. 17207
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO. 17207
EXHIBIT NO. 24

BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA

1515 14TH STREET LLC

BZA APPLICATION NO. 17207

PUBLIC HEARING: SEPTEMBER 28, 2004

BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application of 1515 14th Street LLC

BZA Application No. 17207
Public Hearing: September 28, 2004

ANC 2F

STATEMENT OF THE APPLICANT

I.

NATURE OF RELIEF SOUGHT

This is an application pursuant to 11 DCMR §§3103 and 3104 for 1) variance relief from §1902.1 to allow a roof structure to extend beyond 83.5 feet above the measuring point used for the building; 2) variance relief from §773 to allow an area equal to 10% of the residential gross floor area to be provided as recreation space instead of 15%; and 3) special exception relief from §411 to permit an elevator penthouse that does not meet the setback requirements of §770.6. This relief is requested in order to permit the conversion and renovation of the historically contributing "Hudson Automobile Dealership" building and adjacent unimproved lots into a mixed-use development at 1515 14th Street, N.W. (Square 241, Lots 114, 115, 116 and 841) (the "Property"). The Property is located in an ARTS/C-3-A Zoning District.

II.

JURISDICTION OF THE BOARD

The Board of Zoning Adjustment has jurisdiction to grant the requested variance and special exception relief pursuant to §3103.2 and §3104.1 of the Zoning Regulations.

III.

EXHIBITS IN SUPPORT OF THE APPLICATION

Before proceeding with the discussion of the merits of this application, the following additional materials are submitted:

Exhibit A: A portion of the Sanborn Atlas showing the Property highlighted in yellow.

Exhibit B: A portion of the Zoning Map showing the Property highlighted in yellow, with zoning designation of ARTS/C-3-A

Exhibit C: Outline of testimony of Giorgio Furioso, representative of 1515 14th Street LLC, Applicant.

Exhibit D: Outline of testimony of Representative of Sorg & Associates, Architects.

Exhibit E: Outline of testimony of Steven E. Sher, Director of Zoning and Land Use Services, Holland & Knight LLP.

Exhibit F: Staff report adopted by the Historic Preservation Review Board approving the proposed site redevelopment.

Exhibit G: Letter from ANC 2F stating support of application.

Exhibit H: Architect's rendering of proposed development.

IV.

BACKGROUND

A. Site and Vicinity Characteristics

1. The Property

The Property consists of Lots 114, 115, 116, and 841 in Square 241 and includes approximately 12,440 square feet of land area. The Property is rectangular in shape, with 118.48 feet of frontage along both 14th Street and the rear public alley. Lot 841 of the Property is occupied by a three-story historic automobile dealership of approximately 14,700 square feet. The historic building is 60' x 102' in size, leaving an L-shaped site for redevelopment. Lots 114, 115 and 116 are currently unimproved and utilized for surface parking. Square 241 is bounded by Q Street on the north, Kingman Place on the east, P Street on the south, and 14th Street on the west and is bisected from north to south by a public alley (see Exhibit A). The Property is located in the western portion of Square 241, mid-block between Q and P Streets, and is included in an ARTS/C-3-A zone district, as shown in Exhibit B.

2. Vicinity

To the north of the Property is a restaurant; to the south of the Property is the Studio Theater and its expansion space. To the east of the Property are row dwellings and Kingman Place; to the west of the

Property are 14th Street, Lofts 14 (a five floor, eighty-five unit condominium with over 10,000 square feet of retail) and Lofts 14 Two (a six floor, thirty-seven unit condominium with over 5,000 square feet of retail).

B. Description of Proposed Construction

The Applicant proposes to develop the Property with a mixed-use development that will include art galleries, 2,900 square feet of ground floor retail, and thirty multi-family residential units. In order to proceed with the development, the Applicant seeks approval by the Board of Zoning Adjustment (hereinafter the "Board") of variance relief from §1902.1 to allow a roof structure to extend beyond 83.5 feet above the measuring point used for the building; variance relief from §773 to allow an area equal to 10% of the residential gross floor area of the building to be provided as recreation space instead of 15%; and special exception relief from §411 to permit an elevator penthouse that does not meet the setback requirements of §770.6 of the Zoning Regulations.

V.

THE APPLICATION MEETS THE REQUIREMENTS FOR VARIANCE RELIEF FROM THE ZONING REGULATIONS

As set forth below, the Applicant satisfies the three-pronged test for variance relief as established in §3103.2. Variance relief is therefore appropriate in the present case.

A. The Property is Affected by an Exceptional Or Extraordinary Situation or Condition

As noted above, the Property includes a three-story historic automobile dealership that was typical of the character of the 14th Street corridor in the 1920s. The development proposal involves the retention and restoration of the historic structure, which will ultimately comprise the southern half of the redeveloped building. Developing a mixed-use project around an existing historic structure creates several design constraints, as does the Property's inclusion in an ARTS overlay district, which requires that no less than fifty percent of the ground level of the building be devoted to retail, service, and arts uses. The development site which results from retention of the historic building is essentially an unusual L-shape. The integration of commercial and residential uses with this configuration also results in an exceptional situation or condition.

B. The Strict Application of the Zoning Regulations Would Result in a Practical Difficulty

The Applicant will demonstrate that the strict interpretation of the Zoning Regulations will result in a practical difficulty upon the Applicant.

(1) Roof Structure Height, Section 1902.1

Strict adherence to Section 1902.1 of the Zoning Regulations would require all roof structures to extend no more than 83 feet and 6 inches above the measuring point for the proposed building. While the mechanical penthouse and stairs extend only 83 feet and one inch above the measuring point, the elevator penthouse extends 89 feet and 9 inches above the measuring point, requiring a variance of 6 feet and 3 inches.

As noted below, the rooftop of the proposed building is the only area in which residential recreation space may be reasonably located. In order to accommodate ADA regulations, the rooftop must be accessible by an elevator. The overrun of the elevator is required to be at least fourteen feet per OSHA standards, in order to allow for an area of escape for workers while in the elevator shaft. The total height of the elevator therefore exceeds the height limitation for rooftop structures set forth in the Zoning Regulations. Here is a situation where provisions of the Regulations are in conflict: the height limit of 83.5 feet and the requirement to provide residential recreation space.

(2) Residential Recreation Space, Section 773

Section 773 of the Zoning Regulations requires that residential uses in the C-3-A District be provided with fifteen percent of their gross floor area as qualified residential recreation space. Strict adherence to the Zoning Regulations would require that the proposed development would be required to provide 5,764.5 square feet of residential recreation space, fifty percent of which would be required to be outdoor recreation space. The proposed development includes 4,100 square feet of residential recreation space, one hundred percent of which is outdoors, as there are no feasible opportunities for indoor recreation space. The residential recreation space is located on the rooftop, in the form of roof terraces.

While there is more than 7,400 square feet of residential recreation space on the lot when the open terrace areas on the 5th, 6th and 7th floors are included, the technical requirements are not met as these areas are immediately adjacent to private units and are therefore not open to all owners. This situation is directly related to the preservation of the historic building and setbacks required by the Historic Preservation Review Board.

As noted above, the ARTS Overlay District requires that all buildings with a width of fifty feet or greater that front on 14th Street provide retail uses (among other options) on no less than fifty percent of the ground level. This requirement eliminates space that could potentially be used for recreation space. Due to both zoning requirements and physical site constraints, the Applicant has no viable additional options for locating residential recreation space within the project.

For these reasons, the Applicant meets its burden of compliance with the practical difficulty prong of the variance test and is deserving of relief from the Board.

C. <u>Variance Relief Can Be Granted Without Substantial Detriment to the Public Good and Without Impairing the Intent, Purpose and Integrity of the Zone Plan.</u>

The relief requested can be granted by the Board without detriment to the Public Good or impairment to the Zone Plan. The Applicant will demonstrate that the proposed project can be undertaken without harm to the public good and without threat to the integrity of the zone plan. The conversion of a historic automobile dealership in an ARTS overlay district will significantly contribute to the vibrancy of the neighborhood while supporting the City's goals for this area. The proposed development has the preliminary approval of the Historic Preservation Review Board, as well as support from Advisory Neighborhood Commission 2F concerning the project and the necessary zoning relief to construct it.

(1) Roof Structure Height, Section 1902.1

The height of the development, including the mechanical penthouse as proposed, will be entirely consistent with the adjacent building. An additional six feet and three inches will not reduce access to light or air for surrounding land uses. Further, the roof structure is setback from the Subject Property's frontage on 14th Street, and will only be nominally visible to vehicular or pedestrian traffic.

(2) Residential Recreation Space, Section 773

The proposed development is providing ten percent of the area devoted to residential uses as recreation space. The 4,100 square feet of recreation space provided on the rooftop will effectively serve the building residents. The proposed development also includes 3,300 square feet of private recreation space in the form of terraces and gardens which if included would be substantially in excess of the required area. Further, the galleries and retail uses on the ground and first levels will provide additional recreational outlets for building residents. The Property is also located within close proximity to several recreational opportunities, including Logan Circle to the southeast.

The proposed development also has the support of Advisory Neighborhood Commission 2F as noted in Exhibit G.

For all the above reasons, the requested variance relief can be granted without detriment to the public good or without substantial impairment to the Zone Plan.

VI.

THE APPLICATION MEETS THE REQUIREMENTS FOR SPECIAL EXCEPTION RELIEF FROM THE ZONING REGULATIONS

In order to accomplish the proposed development, the Applicant seeks special exception approval pursuant to §§770.6 and 411 of the Zoning Regulations regarding roof structure requirements in commercial zoning districts.

A. Section 770.6

Section 770.6 of the Zoning Regulations provides that, if housing for mechanical equipment or a stairway or elevator penthouse is provided on a building's roof, it must be erected or enlarged in compliance with the provisions of §770.6, as follows:

> (a) It shall meet the requirements of §411.
> (b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located.

The penthouse structure for the proposed building measures 15 feet in height and thus complies with §770.6(d). Because the penthouse structure is not set back from all exterior walls a sufficient distance, it does not comply with the provisions of §770.6(a) (by reference to §411.2) or with §770.6(b), and thus requires special exception approval by the Board pursuant to §411.11.

B. **Section 411**

Section 411 establishes numerous criteria for roof structures in all districts. Section 411.11 provides the Board authority to approve as a special exception the location, design, and other aspects of roof structures, including setbacks. In order to obtain such special exception approval, an applicant must demonstrate that: (1) compliance with the roof structure regulations is impractical 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 and (2) the intent and purpose of Chapter 400 and the Zoning Regulations are not materially impaired by the structure and the light and air of adjacent buildings are not adversely affected.

In this case, special exception approval is required because the proposed roof structure does not meet the normal setback requirements of the Zoning Regulations. Roof structures are permitted up to a maximum height of 18 feet, 6 inches above the roof upon which they are located, provided that they are set back from all exterior walls one foot for each foot of height above the roof. The roof structure is 15 feet in height, and meets the 1:1 setback requirement on three sides of the building including the frontage facing 14th Street. However, it does not meet the setback requirement on the north side of the building.

(1) Compliance with the roof structure regulations is impractical 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

The placement of the penthouses is a direct result of the retention of the existing building, which necessitates that the building's core be located in the area

of new construction in order to maintain the structural integrity of the historic structure. Within this area of new construction the site chosen is the one which best accommodates the building and prevents floor plan and operating difficulties as will be described in detail by the architect.

The placement of the core in the "middle" of the site would result in operating difficulties and would still result in the same relief being required as the elevator would be too close to the interior court which provides light and air to some of the residential units. Further, the core placement is critical to being able to provide parking for the residential units in the below grade level, as alternative locations interfere with the functioning of the garage on this tight site.

(2) The intent and purpose of Section 400.7 of the Zoning Regulations are not materially impaired and the light and air of adjacent buildings are not adversely affected

The penthouses harmonize with the main structure in architectural character, material, and color. Any impact of the structure on light and air to adjacent buildings would be comparatively minimal, because the penthouse is centered between the alley to the east of the Property and 14th Street. The roof structure is setback from the edge of the building fronting on 14th Street, reducing visual impact along this corridor.

For all these reasons, special exception from the roof structure setback provisions is appropriate.

VII.

WITNESSES

A. Giorgio Furioso, Representative of 1515 14th Street LLC, Applicant

B. Representative of Sorg & Associates, Architects

C. Steven E. Sher, Director of Zoning and Land Use Services, Holland & Knight LLP

VIII.

CONCLUSION

For the reasons stated above, the requested relief meets the applicable standards of the Zoning Regulations and can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations. The applicant therefore requests that the Board grant the application.

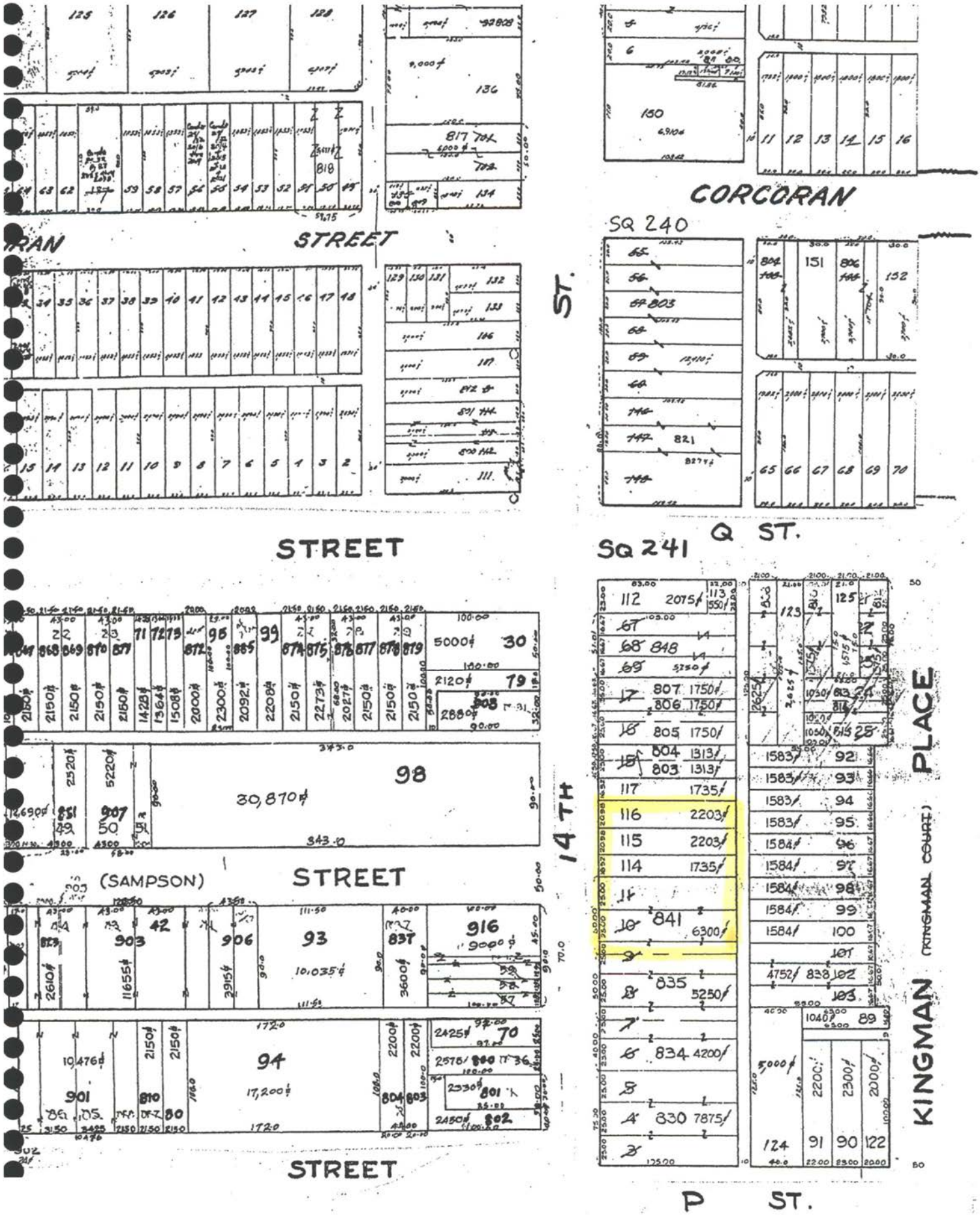
Respectfully submitted,

HOLLAND & KNIGHT LLP

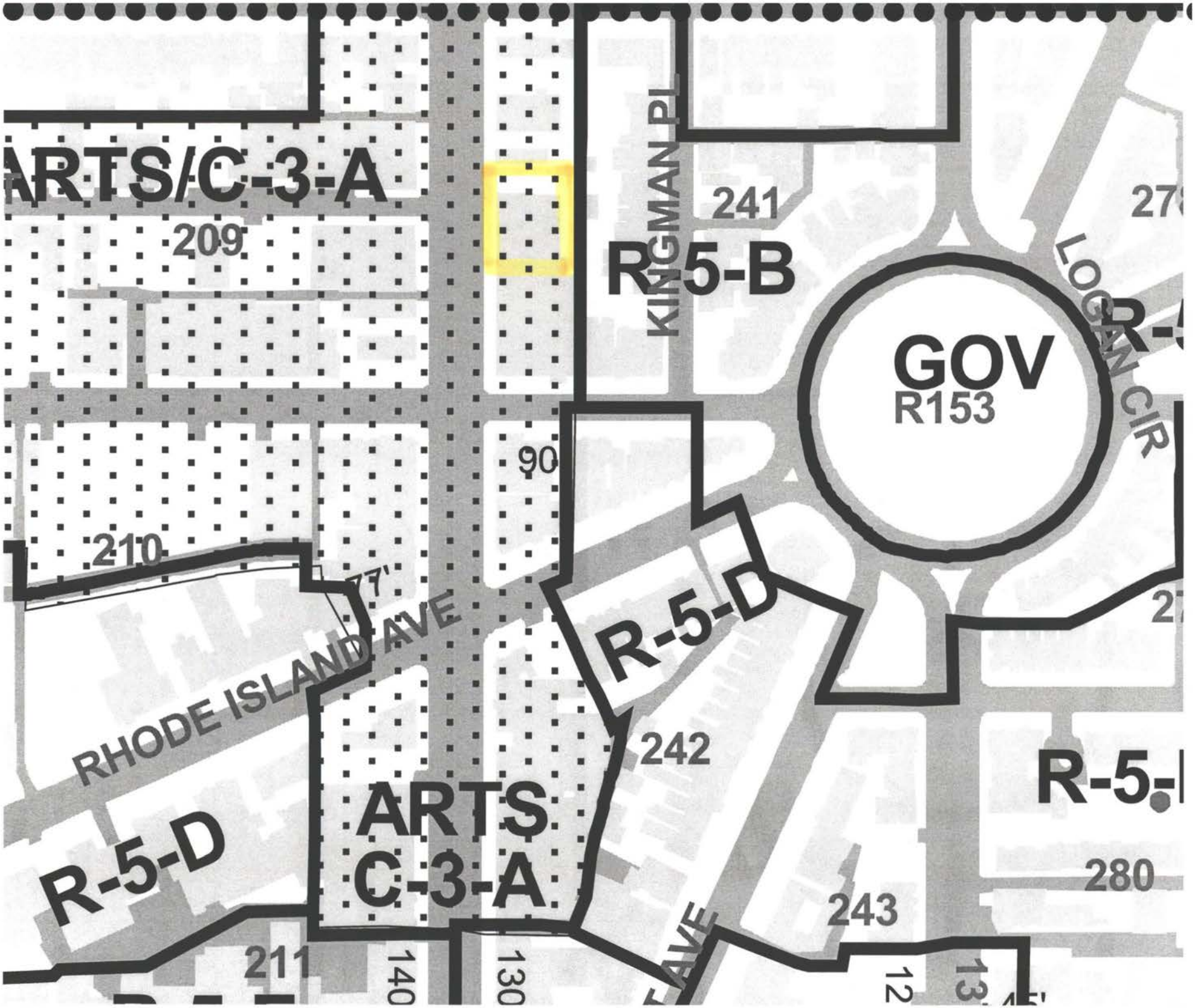
By /s/
Norman M. Glasgow, Jr.

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Washington, D.C. 20006
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A


CORCORAN
STREET
SQ 240
ST.
Q ST.
STREET
SQ 241
14TH
(SAMPSON)
STREET
KINGMAN (KINGMAN COURT) PLACE
P ST.

B


ARTS/C-3-A
209
R-5-B
241
KINGMAN PL
LOGAN CIR
GOV
R153
90
210
77'
RHODE ISLAND AVE
R-5-D
242
ARTS
C-3-A
R-5-D
280
243
211
140
130
12
13

C

OUTLINE OF TESTIMONY
GIORGIO FURIOSO
1515 14TH STREET LLC

I. INTRODUCTION

II. EXISTING USE OF SITE

III. PROPOSED DEVELOPMENT

IV. EXISTING CONDITIONS AND LIMITATIONS

V. REQUIREMENTS FOR GRANTING THE VARIANCE AND SPECIAL EXCEPTION RELIEF HAVE BEEN MET

VI. CONCLUSION

D

OUTLINE OF TESTIMONY
REPRESENTATIVE
SORG & ASSOCIATES, ARCHITECTS

I. INTRODUCTION AND PROFESSIONAL QUALIFICATIONS

II. SITE AND LOCATION DESCRIPTION

A. OVERVIEW OF SITE, VICINITY AND LAND USE/ZONING

B. SITE PLANNING – SIZE, LOT CONFIGURATION, TOPOGRAPHY

III. PROJECT AND BUILDING DESIGN CONSIDERATIONS

IV. ZONING RELIEF IS NEEDED AND THE APPLICANT MEETS ITS BURDEN OF PROOF

V. CONCLUSION

E

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Outline of Testimony
before the Board of Zoning Adjustment

BZA Application No. 17207
1515 14th Street, N.W.

Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP

September 28, 2004

I. Site location and description

A. Subject property, 1515 14th Street, N.W., is comprised of Lots 114, 115, 116 and 841 in Square 241

B. Square 241 is bounded on the north by Q Street, on the east by Kingman Place, on the south by P Street, and on the west by 14th Street and is bisected vertically by a public alley

C. Subject property is located in the western portion of Square 241, mid-block between Q and P Streets

D. Frontage of 118.48 feet on 14th Street and rear public alley

E. Land area of approximately 12,440 square feet

F. Lot 841 is occupied by a three-story historic automobile dealership; remainder of subject property is unimproved and utilized for surface parking

II. Description of surrounding area

A. To the north:

1. Restaurant

B. To the west:

1. 14th Street

2. Lofts 14 (a five floor, eighty-five unit condominium with over 10,000 square feet of retail) and Lofts 14 Two (a six floor, thirty-seven unit condominium with over 5,000 square feet of retail)

C. To the south:

1. Studio Theater and related expansion space

D. To the east:

1. Row dwellings

2. Kingman Place

III. Existing zoning – ARTS/C-3-A

A. C-3-A District

1. Multiple dwellings and retail and service uses are permitted as a matter of right

2. Height - maximum of sixty-five feet, no story limitation (§770.1)

3. Floor area ratio – maximum of 4.0, of which no more than 2.5 may be devoted to other than residential purposes (§771.2)

4. Maximum percentage of lot occupancy for residential uses – seventy-five percent (§772.1)

5. Rear Yard – 2.5 inches per foot of vertical distance, but not less than twelve feet ((§774.1)

6. Side Yard – None required (§775.5)

7. Residential recreation space – not less than fifteen percent of gross floor area devoted to residential uses required to be provided (§773.3)

B. ARTS Overlay District

1. Height - maximum of seventy-five feet with roof structures to 83.5 feet (§1902.1)

2. Retail and service uses and arts and arts-related uses shall occupy no less than fifty percent of the ground level of each building that fronts on 14th Street (§1901.1)

IV. Proposed development:

A. Mixed-use with multi-family residential, art galleries, and 2,900 square feet of ground floor retail

B. Thirty residential units will be provided

V. Relief required:

A. Variance for roof structure height (§1902.1)

1. Maximum permitted height: eighty-three feet and six inches above measuring point

2. Proposed height: eighty-nine feet and nine inches

3. Variance required: six feet and three inches

B. Variance for residential recreation space – fifteen percent of gross floor area devoted to residential use (§773)

1. Minimum required: 5,764.5 square feet

2. Amount proposed: 4,100 square feet

3. Variance required: 1,664.5 square feet

C. Special Exception for Elevator Penthouse Setback

VI. Standards for variance relief (§3103.2)

A. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,

B. the strict application of any regulation adopted under D.C. Code §§5-413 to 4-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship;

C. Provided, that the relief 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.

VII. Compliance with the variance standards

A. Exceptional or extraordinary situation or condition

1. Retention and restoration of historic automobile dealership

2. ARTS Overlay District requirement for a minimum of fifty percent retail/arts uses on ground level of buildings fronting on 14th Street

B. Practical difficulty

1. Roof structure height (§1902.1)

a) Rooftop is only feasible location for residential recreation space

b) In order to accommodate ADA regulations the rooftop must be accessible by elevator

c) Elevator overrun is required to be at least fourteen feet per OSHA standards

2. Residential recreation space (§773)

a) Space constrained by requirement in ARTS overlay to provide no less than fifty percent retail uses on the ground level

b) Retention of historic structure further constrains space

C. Application can be granted without substantial detriment to public good or the zone plan

1. Conversion of a historic automobile dealership in an ARTS overlay will contribute to the vibrancy of the neighborhood while supporting the City's goals for this area

2. Proposed development has preliminary approval of the Historic Preservation Review Board and support from ANC 2F

3. Roof structure height (§1902.1)

    a) Roof structure is setback from 14th Street frontage and will be only nominally visible

4. Residential recreation space (§773)

    a) In addition to the 4,100 square feet of recreation space provided (ten percent of residential floor area), private recreation space will be provided in the form of terraces – approximately 3,300 square feet in total

    b) Other public recreational opportunities exist in the vicinity of the subject property including Logan Circle to the southeast

VIII. Standards for special exception relief (§3103.2)

A. Section 770.6

1. If housing for mechanical equipment or a stairway or elevator penthouse is provided on a building's roof, it must be erected or enlarged in compliance with the provisions of §770.6, as follows:

    a) It shall meet the requirements of §411

    b) It shall be set back from all exterior walls a distance at least equal to its height above the roof upon which it is located

2. The penthouse structure for the proposed building measures fifteen feet in height and thus complies with §770.6(d). Because the penthouse structure is not set back from all exterior walls a sufficient distance, it does not comply with the provisions of §770.6(a) (by reference to §411.2) or with §770.6(b), and thus requires special exception approval by the Board pursuant to §411.11.

B. Section 411

1. In order to obtain such special exception approval, an applicant must demonstrate that:

   a) Compliance with the roof structure regulations is impractical 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

   b) The intent and purpose of Chapter 400 and the Zoning Regulations are not materially impaired by the structure and the light and air of adjacent buildings are not adversely affected

2. Special exception approval is required because the proposed roof structure does not meet the normal setback requirements of the Zoning Regulations.

   a) Roof structures are permitted up to a maximum height of 18 feet, 6 inches above the roof upon which they are located, provided that they are set back from all exterior walls one foot for each foot of height above the roof.

   b) The roof structure is fifteen feet in height, and meets the 1:1 setback requirement on three sides of the building including the frontage facing 14th Street.

   c) The roof structure does not meet the setback requirement on the north side of the building

3. Compliance with the roof structure regulations is impractical 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

   a) The placement of the penthouses is a direct result of the retention of the existing historic building

   b) Necessity for core to be located in the area of new construction in order to maintain the structural integrity of the historic structure and provide parking

c) Compliance with the setback requirement would interfere with both the residential recreation space on the rooftop and the already constrained parking in the below-grade garage

4. The intent and purpose of Section 400.7 of the Zoning Regulations are not materially impaired and the light and air of adjacent buildings are not adversely affected

a) The penthouses harmonize with the main structure in architectural character, material, and color

b) Any impact of the structure on light and air to adjacent buildings would be comparatively minimal, because the penthouse is centered between the alley to the east of the Property and 14th Street

c) The roof structure is setback from the edge of the building fronting on 14th Street, reducing visual impact along this corridor

IX. Conclusions

A. Site is affected by exceptional condition with regard to retention of historic structure and requirement for fifty percent of ground floor to be devoted to retail uses

B. Practical difficulty results from limited space left beyond historic structure, residential dwellings, core, required retail space

C. Roof structure is setback and consistent with adjacent development and ample private recreation space is provided, so there is no detriment to public good

D. Special exception criteria have been met

E. The application should be granted

F

HISTORIC PRESERVATION REVIEW BOARD
STAFF REPORT AND RECOMMENDATION

Property Address:	**1515 14th Streets, NW**	**X**	Agenda
Landmark/District:	**14th Street Historic District**		Consent Calendar
		X	Concept Review
Meeting Date:	**January 22, 2004**	**X**	Alteration
H.P.A. Number:	**03-553**	**X**	New Construction
Staff Reviewer:	**Steve Callcott**		Demolition
			Subdivision

The applicant, Sorg and Associates Architects for developer Giorgio Furioso, seeks on-going conceptual review for construction of a seven-story retail and residential building on vacant land in the Greater 14th Street Historic District. The project would also include three floors of new construction atop the adjacent 1928 "Sign of the Lamb" automobile showroom building.

In reviewing this project at previous meetings, the Board has voted to approve the height (75 feet, with the top floor set back from the front elevation) and to accept the contemporary, cubist-inspired design direction as not inherently incompatible with the character of the historic district. However, the specific designs for how the façade is to be organized and articulated have been found to be lacking in compatibility. Specifically, the Board cited the lack of integration between the limestone façade element with the metal and glass skin, the proportions and fenestration of the stone façade element, the tentative, tacked-on character of the projections, and the storefront recessed from the street wall. In seeking to move the project forward, and with the approval of the Board, several members volunteered to meet with the applicants and staff in a less formal working session to discuss and explore alternative directions for the design that took into account the comments and concerns of the full Board.

The redesign is based on a more complete understanding by the applicants of the Board's dissatisfaction with the previous iterations, and represents a substantial improvement in addressing the concerns that have been raised at previous meetings. The limestone façade element has been broken down, more fully integrated within the overall composition, and the scale of its fenestration made more compatible with the automobile showrooms in the district. The small projecting bays have been largely eliminated, resulting in a less chaotic collection of elements; the scale of the façade elements now better reflects the scale of buildings within the historic district. The overall composition of limestone, glass and metal has been more carefully composed and balanced, with each element grounded and expressing itself through the entire façade. The storefront has been reworked as a projection, as is characteristic of retail buildings in the historic district. The elevation for the addition on top of the historic building has been simplified and its projections eliminated in order that it be read more appropriately as a background element, secondary to the street fronting elevations. All parties recognize that the new design will require further development. However, before that process can continue, it is

important for the applicants to know whether they are headed in the right direction with the revised concept.

The staff recommends that the Review Board approve the revised conceptual design, including the overall façade massing, composition and general material use of limestone, glass and metal panels, as not incompatible with character of the Greater 14th Street Historic District, and direct the applicants to continue coordinating with the staff as they proceed through design development.

G

ADVISORY NEIGHBORHOOD COMMISSION 2F
Government of the District of Columbia
5 Thomas Circle, NW, Washington, D.C. 20005
Telephone: (202) 667-0052 Fax: (202) 667-0053 www.anc2f.org

Commissioners
2F01 *Vacant*
2F02 Jim Brandon
2F03 Miriam Trimble
2F04 Helen M. Kramer, *Chair*
2F05 Thomas M. Funk, *Secretary*
2F06 Bob Hinterlong, *Treasurer*

September 8, 2004

Geoffrey H. Griffis, Chairman
Board of Zoning Adjustment
441 4th Street, NW, Suite 210
Washington, DC 20001

Re: 1515 14th Street, N.W., BZA Application #17207

Dear Chairman Griffis and Members of the Board:

At a publicly noticed meeting on September 1, 2004, and with a quorum present, Advisory Neighborhood Commission 2F ("ANC") voted unanimously (5-0-0) to approve the recommendation of its Community Development Committee ("CDC") to support variance relief from the residential recreation space and height of roof structure requirements of the Arts Overlay/C-3-A District, and a special exception for the roof structure setback for the above referenced project.

We found that the project site is affected by an exceptional situation because of the retention and incorporation of an historically significant building. Preservation of the historic building impacts the setbacks to provide light and air to units, including the provision of a court, and the design elements of setbacks at the upper floors. These setbacks, while not meeting the zoning requirements for residential recreation space, nonetheless provide open space for residents of the building and, if added to the 10 percent residential recreation space located on the roof, would meet the 15 percent requirement. The inability to have these lower levels counted toward the residential recreation space constitutes a practical difficulty for the applicant, as there is no other space to provide residential recreation on such a small site incorporating an historic building and having a requirement to devote at least half of the ground floor to arts and retail uses. Furthermore, the residential recreation space provided at roof level is accessed in part by an elevator that exceeds the height limitation of the Arts Overlay District. It is not possible to provide Building Code-compliant elevator and ADA access to the residential recreation space on the roof and still meet the height limitations imposed by section 1902.1(a) of the Zoning Regulations. The ANC urges the Board to grant this variance to the roof structure height limitation to enable the developer to comply with the requirements for handicapped access to the roof recreation space, and believes that it would be of no substantial detriment to the Zoning Regulations or Zone Plan.

Finally, location of the elevator core is constrained by the site plan, location of the existing building and the provision of below-grade parking to the northern frontage of the building. With these conditions affecting the site, it is impracticable to set back the elevator core one-to-one from the north wall of the building. Therefore, the ANC supports the granting of this special exception relief from section 411.

The ANC and the community are very supportive of this project and look forward to further review of refinements of the design. Thank you for according great weight to our views.

Sincerely,

Helen M. Kramer
Chair, ANC 2F

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