GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

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Office of the Director

MEMORANDUM

TO: D.C. Board of Zoning Adjustment

FROM: Andrew Altman, Director

DATE: December 20, 2004

SUBJECT: Supplemental Office of Planning Report
BZA Application No. 17232
RLA Revitalization Corporation for 1400-1420 Park Road, 3100-3220 14th Street; and 1417-37 Irving Street, N.W. (Grid/DC USA)
Square 2674, Lots 719,720,812,832,863,866,869-872

I. BACKGROUND

Relief Sought: Area Variance from Off-Street Parking Requirements of 11 DCMR §2101.1

Special Exception from Roof Structure Requirements of 11 DCMR §411.3

Relief Sought Under: §3103.2 and §3104.1

The applicant has executed an exclusive rights agreement with Grid Properties, Inc., *et al* for Parcel 27 in the former 14th Street Urban Renewal Area. The parcel is in the Columbia Heights neighborhood of northwest Washington. Grid is planning to develop a large retail complex to be known as DC USA. On behalf of Grid, the RLA Revitalization Corporation is asking the Board of Zoning Adjustment to grant a variance authorizing a reduction in off-street parking spaces, and a special exception authorizing the construction of multiple roof structures.

Under a matter of right retail development, between 1592 and 1612 spaces would be required. Grid is requesting an approximately 38% reduction, to allow it to provide parking for 1000 vehicles. Because the reduction is greater than 25%, the applicant must now seek a variance, rather than a special exception.

The applicant is also seeking a special exception to have multiple roof structures with three enclosures. Roof structure relief request was not part of the previous Case No. 16858.

The Office of Planning, in its report dated November 9, 2004 recommended :

BZA
Case No. 17232
Exhibit No. 39

Board of Zoning Adjustment
District of Columbia
CASE NO. 17232
EXHIBIT NO. 39

A. That the Board APPROVE the requested special exception relief to have multiple roof structures with three enclosures.

However, OP noted that:

B. It cannot make a recommendation on the requested parking variance until:

1. *Uniqueness: The applicant provides information sufficient to demonstrate the uniqueness of the site;*
2. *Practical Difficulty: The applicant provides information, with respect to practical difficulty, about:*
   a. *the site's problematical water conditions, and;*
   b. *the site's problems with constructing a third level of underground parking next to Metro facilities;*
3. *Substantial Detriment to the Public Good: The applicant addresses the relationship established between the parking reduction and attendant increase in pedestrian traffic by, submitting revised plans that are congruent with DDOT's planned infrastructure improvements and that provide for a minimum 14 foot sidewalk -- exclusive of planting boxes -- along Irving Street, Park Road, and 14th Street.*

II. CURRENT EVALUATION

On December 7, 2004, the applicant submitted additional information regarding the site's uniqueness and the practical difficulties to the applicant, should the zoning regulations be strictly applied. The applicant's retail project requires 1,592 spaces and the applicant is requesting a reduction to 1000 spaces.

Uniqueness and Practical Difficulties

The applicant states that the site is burdened with the expectation of its becoming a major uptown retail center for the District of Columbia. This was contained in the Urban Renewal plan for Columbia Heights and in the referral for proposals issued by the Redevelopment Land Agency for the presently proposed development of this site. There is a higher ratio of parking per square foot for such retail uses than for general office or residential uses.

According to a December 6, 2004 memo from Clark Construction Group, LLC that is included in the applicant's supplemental filing, Muesser Rutledge consulting engineers has determined that groundwater would be 6' to 8' above the finished floor elevation of a 3rd parking level, which level would be needed if the full required parking were to be provided.[1] Clark Construction outlines the additional excavation support and structural premiums due to constructing the eastern wall of the parking garage adjacent to, and at approximately the same level as, the Green Line Metro and station. Due in part to the water table, and in part to Metro adjacency, Clark estimates a parking space on a third level of parking would be 58% more expensive than a parking space on one of the first two levels.

[1] The applicant submitted additional information concerning the water table at a 4th underground parking level. OP has not considered this information, since the BZA has already granted this project a special exception that would eliminate the need for a 4th level of parking.

In OP's opinion, the supplemental information provided by the applicant adequately establishes the site's uniqueness, as well as the practical difficulties that would result should the regulations be strictly enforced.

Substantial Detriment to the Public Good

The applicant has also worked with the District Department of Transportation (DDOT) and with OP to respond to DDOT's concerns about the width of the sidewalks adjacent to the project. This has been important because the projected modal split for the arrivals and departures of the project's patrons shows a higher than average number of patrons using alternative transportation modes such as transit, bicycles, or walking. This modal split is reflected in, and reinforced by, the requested parking variance. Accordingly, DDOT has focused on ensuring that a minimum safe width of 10' of clear sidewalk[2] path is maintained around the project's three principal edges. DDOT has also been mindful of the need for turning lanes and on-street parking and loading areas, as well as of the OP/DDOT Columbia Heights public realm recommendations. The public realm recommendations emphasize generous sidewalks, plantings and street furnishings– particularly near the intersection of 14th Street and Park Road.

DDOT's final comments on the project *(December 20, 2004 --attached)* indicate that with the design revisions the applicant has made since the pre-hearing statement was filed, the project has achieved a satisfactory clear sidewalk width around the building, even in areas where on-street parking and loading areas, or turning lanes, require narrowing the distance between the edge of the proposed building and the edge of the planned curb. The applicant's latest revisions[3] provide for a generous sidewalk that contributes to the planned public plaza on all sides of the intersection of 14th Street with Park Road and Kenyon Street. The applicant has also widened sidewalks on both sides of Hiatt Place.

Specifically, the distances from the farthest edge of the building, including the outward swing of doors, to the edge of the curb are:

- Park Road – 15'8"
- 14th Street
    - North of the main entrance area, ranges from 35' to 18'
    - In the area of the main entrance and lay-by, ranges from 19' to 14'11".
- Irving Street
    - Between the loading entrance and the corner of Irving and 14th Streets, ranges from 23'6" to 13'6";
    - Between the loading entrance and Hiatt Place, 18'
- Hiatt Place – 13' on west side, 12' on east side.

In its November 9, 2004 report, OP recommended that the sidewalk on Park Road, 14th Street and Irving Street be at least 14 feet, exclusive of planting areas, which typically range from 3' to 5'. The applicant has not achieved this in all areas, but has been able to relocate portions of the facade enough to satisfy DDOT's concerns. The planned parking is sufficient to accommodate projected demand. The reduction of parking below the level normally required for projects in close proximity to a Metro station and in

[2] "Clear" sidewalk is the distance between the outermost edge of the building or of the doors' outer swing to the planting or street furnishings zone adjacent to the curb.
[3] Filed separately with the BZA by the applicant.

areas with high levels of public transit access supports policy goals of the Comprehensive Plan and the Long Range Transportation Plan to encourage use of transportation alternatives to the automobile. With the redesign that has occurred over the last two weeks for portions of the façade, the sidewalks will now safely accommodate the higher-than-normal flow of pedestrians, and will contribute to the overall improvement of the Columbia Heights public realm.

OP believes that, with the design changes, the applicant has adequately addressed the relationship that it established between the parking reduction and the attendant increase in pedestrian traffic.

III. RECOMMENDATION

In OP's opinion that applicant has demonstrated that the special exception request meets the criteria outlined in 11 DCMR Sections 411.3 and 3104.1.

In OP's opinion, the applicant has also demonstrated that the project has met the variance request tests outlined in 11 DCMR Sections 3103.2 for: 1) uniqueness; 2) practical difficulty, and; 3) no substantial negative impact on the public good or the zone plan.

Based on the plans submitted by the applicant on December 20, 2004, and subject to the physical conditions implicit in the DDOT letter of December 20, 2004, OP recommends the Board APPROVE both the requested special exception and the requested variance.

Aa/slc

CC: Ellen McCarthy, Jennifer Steingasser ,Michael Downie, Ken Laden, , Vivian Guerra, Douglas Noble, Alex Nyan, Michael Jasso, Jennifer Budoff, Drew Greenwald, Michael Prifti, Chip Glasgow, Mack James

Attachment: DDOT letter of December 20, 2004