

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Brandice Elliott, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** January 12, 2018

**SUBJECT:** BZA Case 19676 (1099 14<sup>th</sup> Street, N.W.) requesting side and rear setback relief for a mechanical equipment screen enclosure.

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **approval** of the following special exception:

- Subtitle C § 1502.1 (b), Rear Setback (13 feet required, 2.5 feet proposed); and
- Subtitle C § 1502.1 (c), Side Setback (13 feet required, 2.5 feet proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	1099 14 <sup>th</sup> Street, N.W.
Applicant	Allison Prince for CoreSite
Legal Description	Square 248, Lot 75
Ward, ANC	Ward 2, ANC 2F
Zone	<b>D-6</b> (Downtown Zone) permits high-density mixed use development.
Historic District	None
Lot Characteristics	The rectangular lot is 43,938 square feet in area, with 146.83 feet of frontage along 14 <sup>th</sup> Street, and 299.25 feet of frontage along L Street. A 30-foot-wide public alley abuts the south property line.
Existing Development	The property is currently developed with an office building known as Franklin Court, with 11 stories and 460,000 square feet of office space. The building is 130 feet in height, the maximum for the zone.
Adjacent Properties	To the west, across 14 <sup>th</sup> Street, are two 11-story office buildings. To the south, across the public alley and on K Street, is an existing approximately ten-story hotel building. To the north, across L Street, is an 11-story office building. To the west, is an existing approximate ten-story office building.

Surrounding Neighborhood Character	The surrounding neighborhood is characterized by office and mixed office/retail buildings greater than eight stories in height, with lower scale buildings interspersed.
Proposed Development	The applicant proposes to construct a mechanical equipment screen enclosure on the roof of the building at the southeast corner of the building, along the rear alley. The screen wall would be approximately 13 feet in height, providing a rear and side setback of 2.5 feet. The screen wall would be constructed of a contoured panel painted to match the penthouse wall behind it, and would be on top of a steel support system.

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

Zone – D-6	Regulation	Existing	Proposed	Relief
Lot Occupancy I § 202	100% max.	Not provided	Not provided	None requested
Rear Yard (ft.) I § 205	12 ft. min.	Not provided	Not provided	None requested
Side Yard (ft.) I § 206	None required	Not provided	Not provided	None requested
Floor Area Ratio I § 555	No limit	--	--	None requested
Height (ft.) I § 556	130 ft. max.	130 ft.	130 ft.	None required
Penthouse Height I § 556	20 ft. max.	--	13 ft.	None required
Penthouse Setbacks D § 1502	Distance equal to height (13 ft.) from exterior building walls	--	Front: >13 ft. Rear: 2.5 ft. Side: 2.5 ft.	Conforming <b>Required</b> <b>Required</b>

**IV. OFFICE OF PLANNING ANALYSIS**

**a. Special Exception Relief pursuant to Subtitle C § 1504, Penthouse Requirements**

*1504.1 Relief to the requirements of Subtitle C §§ 1500.6 – 1500.10 and 1502 may be granted as a special exception by the Board of Zoning Adjustment subject to Subtitle X, Chapter 9 and subject to the following considerations:*

*(a) The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;*

As noted in the memorandum from the Zoning Administrator (Exhibit 5), relief from setback requirements rooftop mechanical equipment and screening is required from the rear and side walls of the building. In the statement provided by the applicant (Exhibit 12), it is noted that the proposed location of the roof equipment is the only possible location, and that strict application of the requirements would result in the facility being inoperable and significant financial losses.

In speaking with OP, the applicant has clarified that the proposed equipment is to accommodate a new tenant, an Electronic Equipment Facility (EEF) (a permitted use in the zone), which will be located on one of the lower levels of the building. The cooling equipment is required to maintain the EEF and ensure its efficiency. As a result, the applicant is using existing spaces within the

building, such as janitorial closets, to connect the roof equipment to the EEF, and the proposed location for the necessary rooftop equipment is the least disruptive to the existing floor plans and the shortest path to the EEF. Moving the roof equipment to a compliant location on the roof would result in additional expense and disruption associated with reworking the internal floor plan of the building, and would cause the equipment to be less efficient.

*(b) The relief requested would result in a better design of the roof structure without appearing to be an extension of the building wall;*

The proposed screen wall is 4.33 feet shorter than the existing penthouse enclosure located to the north, maintaining a lower profile. The louvered screen wall would be constructed on a steel base designed to provide sufficient cooling for the equipment so that it operates efficiently. While the materials are different from that of the existing penthouse, the applicant has agreed to paint it to match the building so that it is less visible from the alley. The proposed screen wall would maintain a 2.5-foot setback from the edge of the roof, and would not appear to be an extension of the building wall.

*(c) The relief requested would result in a roof structure that is visually less intrusive;*

The proposed mechanical equipment and screening would be located at the southeast corner of the building, which abuts a 30-foot-wide public alley. The screening would only be visible from the alley, but is generally designed to be less intrusive and less visible by using a shorter screen wall and painting it to match the existing penthouse. The applicant further notes that the mechanical equipment selected for this project is lower-profile with the smallest possible footprint, resulting in a shorter, less extensive screen wall.

Photographs provided by the applicant of the alley at ground level (Exhibit 16), suggest that the proposed screen wall would be minimally visible from the alley, and would not visibly appear as an extension of building height.

*(d) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C-115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable;*

Although not provided in the submission, the applicant has informed OP that constructing a code compliant screen wall would result in greater inefficiencies of the interior floor plan, resulting in the proposal being prohibitively costly.

*(e) Every effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and*

The applicant notes that the mechanical equipment that has been proposed for the EEF is lower profile and has the smallest footprint possible, which enables a minimal setback of 2.5 feet to be provided, as well as a lower-height screen. Along with the location issues noted elsewhere in OP's analysis, the applicant has made every effort to propose a compliant screen wall.

*(f) The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.*

The proposed screen wall would be located at the southeast corner of an existing 130-foot tall building, abutting a 30-foot-wide alley. The applicant has proposed a small setback from the rear

and side of the building, and would use lower-profile mechanical equipment that would require a shorter screen wall. Given these factors, and that the structure would be located adjacent to the alley, the applicant has met the intent of this chapter to reduce the visibility of the mechanical equipment to as reasonable an extent as possible. Further, the structure would not increase shadowing that already occurs due to the building and adjacent buildings of similar height, and its visibility from the alley would be minimal. Therefore, the light and air of adjacent buildings should not be affected adversely.

## **V. COMMENTS OF OTHER DISTRICT AGENCIES**

As of the date of this writing, comments from other District Agencies had not been received.

## **VI. COMMUNITY COMMENTS**

At its regularly scheduled meeting on December 6, 2017, ANC 2F voted to recommend approval of the requested relief. Additional comments from the community have not been provided to the record.

Attachment: Location Map

### Location Map

