

## SUPPLEMENTAL MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
    *JL* Joel Lawson, Associate Director Development Review  
**DATE:** May 4, 2018

**SUBJECT: SUPPLEMENTAL REPORT - BZA 19726, Emergency Shelter at 101 Q Street, NE in the PDR-2 zone.**

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At its April 11, 2018 meeting, the Board of Zoning Adjustment (BZA) requested OP to provide a clarification on measuring the height of a penthouse that has a parapet and address the variance relief for loading.

### Height of Penthouse Measurement

To calculate the setback requirement, the applicant measured the height of the roof structure from the roof of the building to the roof of the penthouse and did not including the two-foot parapet of the penthouse.

The Zoning Administrator had determined that the height of the penthouse structure should be measured from the roof on which it sits to the top of the parapet. In this case, 12 feet. The penthouse including any parapet would have to provide the required 1:1 setback for Structure 2 on the rear of the building and a setback equal to half the height for Structure 1 on the side of the building.

### Variance

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

- Subtitle C § 902.3 Loading and Service delivery (1 loading berth and 1 service/delivery area required, none provided) pursuant to Subtitle X, § 901.2.

The emergency shelter requires a minimum size of 30,000 gross square feet and the office use requires a minimum of 20,000 gross square feet to generate the need for a loading facility for either use individually. Neither the emergency shelter nor the office space exceed these amounts.

However, Subtitle C § 902.3 states:

*At least one (1) loading berth shall be provided when the sum of the gross floor area of the separate uses exceeds the minimum gross floor area requiring loading berths for any one of the separate uses.*

The total square footage of the office and the emergency shelter combined would be 32,251 gross square feet and therefore one, on-site loading berth is required. The applicant has requested a variance to not provide the loading berth. The variance requirements are met as follows:

**i. Exceptional Situation Resulting in a Practical Difficulty**

The applicant is faced with an exceptional situation as the proposed emergency shelter would provide special services to persons and their families whose housing needs are an emergency and would arrive at the property with few or no possessions and therefore would not need the use of a loading berth. The office space would also not generate the need for loading except for perhaps, move-in and move-out times. Deliveries to the facility would be minimal and typically of short duration. Having to provide a loading berth within the building would be a practical difficulty as it would result in a significant reduction in space available for the emergency shelter or space for support services, as well as the addition of additional curb cuts from public streets.

**i. No Substantial Detriment to the Public Good**

Not providing the loading facilities would not adversely affect the use of neighboring properties or the public good as the Department of Transportation (DDOT) report (Exhibit 48) notes that any loading and trash collection would take place at the rear of the subject property, within the proposed parking area.

**ii. No Substantial Harm to the Zoning Regulations**

The applicant has demonstrated that the requirements of Subtitle U § 802.1(c) for an emergency shelter and associated offices in the PDR-2 would be met (OP Report, Exhibit 58). Not providing the loading berth for this facility would not substantially harm the regulations as all loading and trash collection would be accommodated on the property, at the rear of the building.