



May 4, 2018

Emily J. Vaias
Ballard Spahr
1909 K Street, NW, 12th Floor
Washington, DC 20006-1157

Subject: Justification for Loading Berth Variance
101 Q Street NE, Washington DC - Square 3518 Lot 25

Dear Ms Vaias:

In response to your request, Gelberg AEC (GAEC) is pleased to provide our justification for the variance to eliminate an onsite loading berth on the subject project. Our justification is as follows:

The Project will include ten (10) on-site vehicular parking spaces, one (1) of which is an accessible parking space; six (6) long-term bicycle parking spaces; four (4) short-term bicycle parking spaces; a controlled access gate and fencing around the rear parking lot with a separately fenced in waste/recycling area and emergency generator; and landscaping improvements. Access to the vehicular parking spaces will be achieved from First Street, which is a low-volume street, through a controlled-access gate. The driveway serving the parking lot will have a minimum width of twelve feet (12') and access to the parking area will be controlled by a gate that will prevent vehicles from entering and exiting simultaneously, thus creating a one-way situation for each ingress/egress. Parking will not be open for the public and instead will be restricted to use only by tenants of the building.

Pursuant to Subtitle C, § 901.1, a loading berth must be provided for an office with a minimum 20,000 square feet of gross floor area or an emergency shelter with a minimum 30,000 square feet of gross floor area. Subtitle C, §§ 902.1 – 902.3 also provides, for the purposes of calculating loading berth requirements, that: (i) non-residential uses within the same use category are to be added together to derive the total gross-floor area (GFA) to determine the total number of berths required for the use category; (ii) where two or more uses in differing categories share the same structure, the structure is only required to provide enough berths to meet the requirement for the use with the highest requirement, so long as all uses requiring loading have access to the loading area; and (iii) at least one berth must be provided where the sum of the GFA of separate uses exceeds the minimum floor area requiring loading berths for any one of the separate uses. Although the individual office and shelter uses do not trigger a requirement to construct a loading berth, if the GFA of each use is combined, at least one loading berth would be required under the standards applicable to office and emergency shelter uses.

Applicant is requesting a variance from the requirement to provide a loading berth. The requirements for a loading berth are as follows:

Subtitle C, § 905:

- 905.2:** All loading berths shall be a minimum of twelve feet (12 ft.) wide, have a minimum depth of thirty feet (30 ft.) and have a minimum vertical clearance of fourteen feet (14 ft.).
- 905.4:** All loading berths shall be accompanied by one (1) adjacent loading platform that meets the following requirements:
- (a) A loading berth that is less than fifty-five feet (55 ft.) deep shall have a platform that is at least one hundred square feet (100 sq. ft.) and at least eight feet (8 ft.) wide;
 - (b) A loading berth that is fifty-five feet (55 ft.) deep or greater shall have a platform that is at least two hundred square feet (200 sq. ft.) and at least twelve feet (12 ft.) wide;
 - (c) Loading platforms shall have a minimum vertical clearance of ten feet (10 ft.); and
 - (d) A loading platform floor shall consist of one (1) horizontal level.
- 905.5:** No loading platform need be provided for loading berths if the required loading berth is increased in depth for the full width thereof, such that the resulting enlarged loading berth is equal in area to the combined area of a required loading berth and a required loading platform.
- 905.6:** The dimensions specified in this section for loading berths and service/delivery spaces are exclusive of access aisles, maneuvering space, and loading platforms.

A. Due to the Attributes of the Property, Strict Application of the Loading Berth Requirements Results in Peculiar and Exceptional Practical Difficulties to the Property Owner

As can be seen from the Plat, the Property is located at the intersection of Q and First Streets, NE and is configured in a shape akin to a trapezoid. Because of this configuration, the area of the Property facing First Street only has a depth of 72.77', while other areas of the Property achieve a maximum depth of over 100'. The shape of the Property makes it a challenge to design and provide a building and parking area large enough for a loading berth.

Compliance with the loading berth requirements results in peculiar and exceptional difficulties. Installation of a loading berth would require space for the subject delivery vehicle's turning movement that exceeds the available onsite space (much of which is already occupied by building footprint - Refer to Exhibit TT-1).

Simply backing into the parking area is difficult given limited spacing and would also require removal of all parking spaces (save the ADA accessible space) under the rear part of the building;

B. Relief can be Granted without Substantial Detriment to the Public Good and without Impairing the Intent, Purpose, and Integrity of the Zone Plan

Approving the Variance Relief will have no adverse impacts upon the public good, the surrounding neighborhood, or the intent, purpose, or integrity of the zone plan. The office use within the Project is not expected to exceed 13,000 sf GFA (under conditions where a minimum occupancy of 20,000 sf GFA is necessary to trigger a loading-berth requirement), and the remaining shelter space will be constructed in a fashion consistent with a residential multifamily building, as opposed to a traditional shelter, and

will consist of only 30 residential units. Deliveries are not expected in large trucks and will mostly consist of small SUV-sized (Passenger) vehicles. These deliveries will be coordinated with the building security and will not be a detriment to the public.

We trust that this information is sufficient for your needs and look forward to your timely review. If you should have any questions or require any additional information, please do not hesitate to call and I will address your concerns.

Sincerely,



William D. "Mark" Hume, PE
Chief of Operations/General Manager
Gelberg AEC, LLC
mhume@gelbergaec.com