

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Development Review Specialist
 JLS
 for Joel Lawson, Associate Director Development Review
DATE: September 11, 2020

SUBJECT: BZA Case 20274 -- to permit the expansion of an existing office building and its conversion to a residential use at 1313 L Street, NW

I. OFFICE OF PLANNING RECOMMENDATION

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

- A Variance from Minimum Court Width Requirement of Subtitle I § 207.1, pursuant to Subtitle X § 1002.1 (36’8” required, 15’ proposed); and
- A Special Exception for Minimum Rear Yard Requirements of Subtitle I § 205.5 pursuant to Subtitle X § 901.2 (22’11” required, 15’ proposed).

OP has asked the applicant to provide information on the location of the short-term bicycle spaces.

OP has also recommended the applicant consider providing private balconies for the apartments.

II. LOCATION AND SITE DESCRIPTION

Address	1313 L Street, NW
Applicant	MQMF 1313 L Street LLC
Legal Description	Square 247, Lot 95
Ward, ANC	ANC 2F
Zone	D-4-R
Historic District	None
Lot Characteristics	18,245 SF flat, rectangular lot bordered by L Street to south, public alleys on west and north and an interior lot with an office building to east
Existing Development	Six-story office building
Adjacent Properties	Approximately 90’ tall office building to east
Surrounding Neighborhood Character	Primarily downtown office development to east, west and south, but with eating and drinking establishments, multi-story residential buildings and a hotel to the north and west

Proposed Development	Retention of most of 1 st floor and below-grade space of existing 6-story office building plus addition of 9 stories, for a 10-story plus basement, 222-unit apartment building with internal parking
----------------------	--

III. ZONING REQUIREMENTS and RELIEF REQUESTED

D-4-R	Existing	Regulation	Proposed	Relief
Lot Area	18,245 SF	N/A	same	N/A
Lot Width	113 ft.3 in.	N/A	same	N/A
FAR (I §531)	3.96	“unlimited” if ≥ 4.5 residential	9.13 residential	N/A
Height (I §532)	89’ 10”	110’ on 90’ – 100’ ROW	110 ft.	N/A
Lot Occ. (I §202.1)	69%	100% max.	71%	N/A
Front Build-To (I §533 / I §203.1)	Range: 0’, 3’, 6’ and 50’8”	75% of wall, first 15’. to w/in 4’ of property line	87% w/in 4 ft.	N/A
Rear Yd. (I §205.1)	18’6” to alley center	22’11” to alley centerline	15 ft. to alley centerline	7’ 11” Special Exception
Side Yd. (I §206.1)	None on E 3’ -15’ on W	None, or ≥ 4 ft.	none	N/A
Open Court Width (I § 207.1)	Not provided	4”/ft. of height, but ≥ 10’ West: 39’3” Southeast: 38’8”	<u>West, off alley: 40’4”</u> <u>Southeast, off L St: 15’</u>	W: N/A Southeast: 21’8” Variance
Vehicle Parking (C, §701)	61	None	61, Same ¹	N/A
Bicycle Parking (C, §801)	none	Long-term: 1 / 3 du if fewer < 50, 1 / 6 above 50 = 62; 1 / 20 du short-term = 11	62 11	N/A N/A
Loading (C §901)	(1) 28’ berth	1 30’berth	1 30’ berth	N/A
GAR (I §208.1)	N/A	0.2	0.2	N/A

IV. OFFICE OF PLANNING ANALYSIS

a. Area Variance Relief from Subtitle I §207.1

For the open court adjacent to L Street the applicant has requested relief to provide a width of 15 feet rather than the required 36 feet, 8 inches – a 21’8” inch difference.

¹ This number does not include existing vault spaces, the continued use of which would be subject to DDOT review.

i. Exceptional Situation Resulting in a Practical Difficulty

Exceptional Situation...: (See Exhibit 33A1, Sheets A-2 and A-6). The relationship between the applicant's existing building at 1313 L Street and the east-adjacent New York University – DC office building constitutes an exceptional condition. The applicant's building was constructed with a deep open entrance court at the southeastern corner of the site. The NYU building responded to this setback by wrapping the unusual design of the NYU building's front façade around the western corner of that building, to almost the full depth of the applicant's court. That façade treatment extends for the full height of the NYU building. Where the two buildings are contiguous, beyond the depth of the applicant's courtyard, the NYU building has either a solid brick wall or at-risk punched windows.

...Resulting in a Practical Difficulty: The practical difficulty would be to both the applicant's re-developed building and the NYU-DC building. To respect the NYU building's design intent, the applicant wishes to continue providing a court in the general existing L Street location. This would enable the "wrapped" portion of the NYU building's façade to continue to be seen as intended. However, a compliant court would have to be 36 feet wide, as measured east-west along L Street. This 28'6" difference from what the applicant is proposing would reduce the number of new residential units and would be a sharp break from the build-to-the front-property-line practices of other buildings on the street and the general intent of the design guidelines for the downtown zones. The proposed 15-foot court depth is intended as a compromise between respecting the adjacent building's needs and maintaining a relatively consistent building line on L Street.

ii. No Substantial Detriment to the Public Good

The proposed court, at the proposed depth, would preserve an attractive architectural feature of the adjacent building, would provide additional light for one stack of the new residential units at the southeast corner of the applicant's building and would enable the provision of more apartments than if the court were constructed with the required depth. Granting the requested variance would not be likely to cause substantial detriment to the public good.

iii. No Substantial Harm to the Zoning Regulations

The requested relief would enable the proposed building to meet both the functional and the design intents of the downtown zoning regulations and would not likely cause them substantial harm.

b. Special Exception Relief from Subtitle I §205.5

- i. No windows to a residence use shall be located within 40 feet of another facing building.*

The proposed building's rear-facing residential windows would be no closer than 75'9" from the closest building to the north, at 1312 Massachusetts Avenue, NW. (See Exhibit 33A1 Sheet A-4).

- ii. No window to an office use shall be located within thirty feet (30 ft.) of another facing office window, nor eighteen feet (18 ft.) in front of a facing blank wall within 30 ft of facing office window or 18 ft. of blank wall*

The proposal would comply with this criterion.

- iii. A greater distance may be required between windows in a facing building than the minimum prescribed in (a) or (b) if necessary to provide adequate light and privacy*

to habitable rooms as determined by the angle of sight lines and the distance of penetration of sight lines into such habitable rooms;

Given the proposed distances, this is not necessary.

- iv. *The building shall provide for adequate off-street service functions, including parking and loading areas and access points.***

The applicant would provide adequate facilities for parking and loading. The project would have 61 parking spaces in a zone that has no parking requirement and would provide the required loading. Parking and loading facilities would be within an existing underground garage.

General Special Exception Criteria: Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps? Would the proposal appear to tend to affect adversely, the use of neighboring property?

With the requested rear yard relief parking, loading and trash functions would be maintained and would be located underground. Rear residential windows would exceed the distance requirements from neighboring properties. The proposal would tend to be in harmony with the zoning regulations and maps and would not tend to adversely affect the use of neighboring property.

V. OTHER DISTRICT AGENCIES

No other District agencies had filed a report at the time OP completed this report.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 2F has submitted a letter in support of the requested relief (Exhibit 18)

VII. COMMUNITY COMMENTS TO DATE

There were no community comments in the case file at the time OP completed this report.

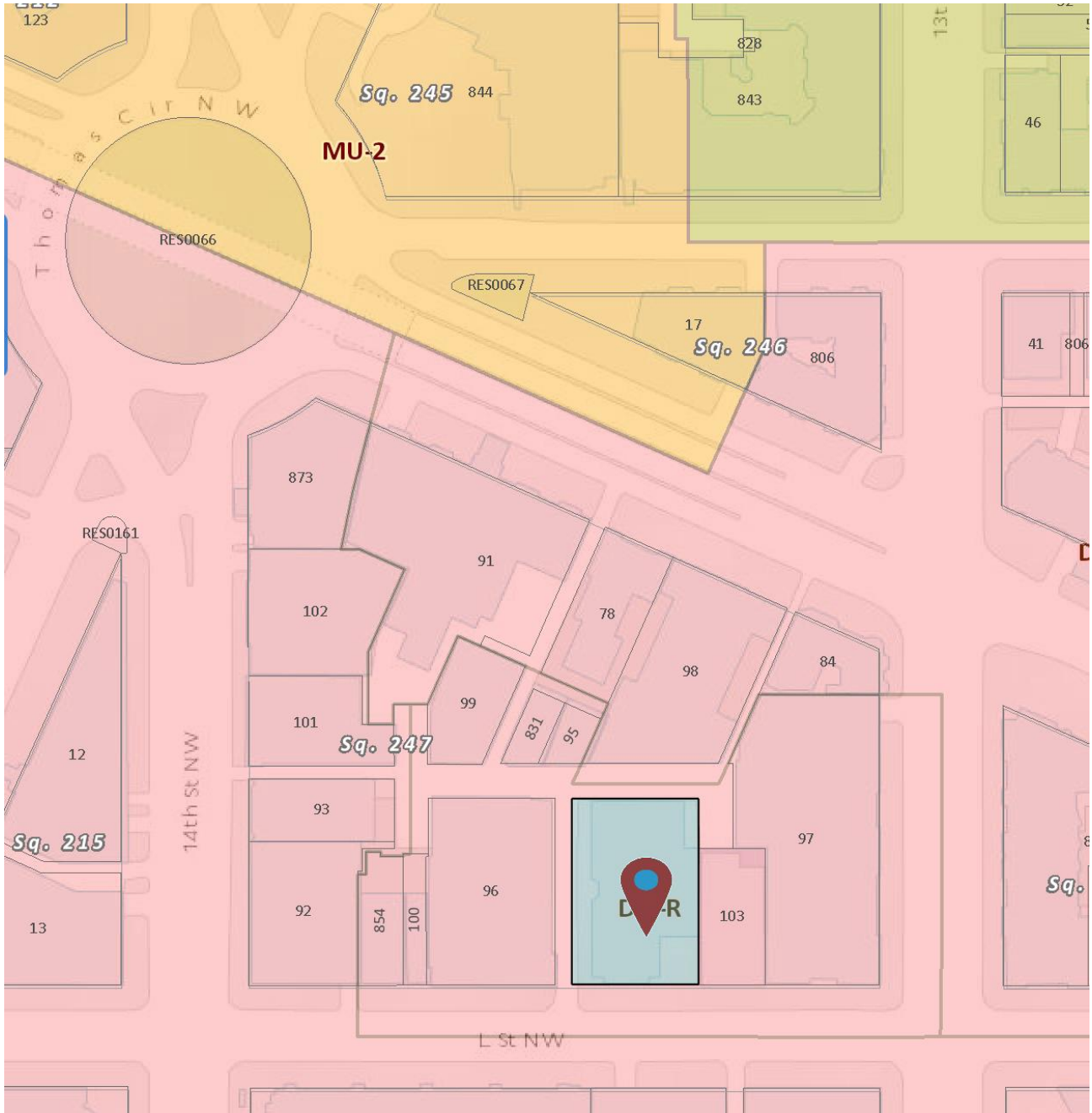


Figure 1. Location Map for 1313 L Street, NW