

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Elisa Vitale, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 12, 2016

SUBJECT: BZA Case 19314, variance from the off-street parking requirements under § 2101.1, and a special exception from the penthouse setback requirements under §§ 777.1 and 411.11, to renovate an existing office building including the installation of a rooftop solar array in the DC/C-3-B District at premises 2000 Florida Avenue N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following requested variance and special exception relief:

- § 2101.1 Parking (32 spaces existing; 31 spaces required; 23 spaces proposed); and
- §§ 411.11 and 777.1 Penthouse Setback (1:1 setback from exterior walls required; no setback proposed).

II. LOCATION AND SITE DESCRIPTION

Address	2000 Florida Avenue NW (the “Subject Property”)
Applicant	American Geophysical Union (the “Applicant”)
Legal Description	Square 90, Lot 33
Ward / ANC	2 / 2B
Lot Characteristics	The Subject Property is irregularly shaped and is bounded to the north by Florida Avenue, NW; to the east by 20 th Street NW; and to the south and west by adjacent buildings. The Subject Property has an area of approximately 14,240 square feet.
Historic District	Dupont Circle Historic District - non-contributing structure.
Existing Development	The Property is improved with an existing five-story office building, built in 1996.

Zoning	The Subject Property is zoned DC/C-3-B. C-3-B: matter-of-right development for major business and employment centers of medium density development, including office, retail, housing, and mixed uses. Dupont Circle Overlay District (DC): requires a scale of development consistent with the nature and character of the Dupont Circle area. The DC Overlay does not impact the requested relief.
Adjacent Properties	The Subject Property is located at the edge of the Dupont Circle Historic District on the corner of Florida Avenue and 20th Street. It is surrounded by a mixed context of large office buildings to the north and south, and smaller-scale commercial and apartment buildings to the west and across 20th Street to the east.
Surrounding Neighborhood Character	The neighborhood is characterized by a mixture of office, commercial, and residential uses. The Dupont Metrorail Station is within one-half mile of the Subject Property.

III. APPLICATION IN BRIEF

The Applicant is proposing a full renovation of the existing office building, which houses the offices of the American Geophysical Union (AGU), to achieve net zero energy use. AGU is a non-profit scientific association that has been headquartered at this location since 1979 and would continue to be headquartered at the Subject Property. The existing building is in need of renovation and the proposed project would be consistent with AGU's mission, serve as a model for other commercial buildings in the District, and support the City's sustainability goals. The renovation would include new penthouse and roof elements including a photovoltaic array on a projecting roof canopy and installation of two elements in the parking garage, a cistern for capturing rainwater and a sewer heat exchange system, which would result in a reduction in the number of parking spaces provided. Vehicular access to the parking garage is from Florida Avenue NW and 20th Street NW and would remain unchanged.

The solar panel structure would be twelve feet (12 ft.) above the roof and a zoning compliant penthouse structure would sit under the central portion of the solar array and would house associated mechanical equipment. The elevator override at the center of the roof would extend three feet and one inch (3 ft. 1 in.) above the solar panels and would be within the maximum height permitted and would meet required setbacks. The solar panels would cover the entire roof of the building and would extend four feet (4 ft.) over the north and east property lines (where the Property is bordered by Florida Avenue, NW and 20th Street, NW). The solar panel array would not comply with the required setbacks and would project in to public space. The applicant is working with the Department of Consumer and Regulatory Affairs (DCRA) to secure the necessary approvals for the proposed projections in to public space.

The Historic Preservation Review Board (HPRB) at its May 26, 2016 meeting approved the concept as designed with direction to work with the staff on finalizing details for the windows, entry element, and the West elevation feature. While approving this concept, HPRB notes that this project is unique in mission, scope, and site context and should not be seen as a precedent for large solar canopies.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

DC/C-3-B Zone	Regulation	Existing	Proposed¹	Relief
Height § 770.1	70 ft. max. / 6 stories	70 ft.	70 ft.	None required
Penthouse § 770.6 Height Setback (enclosure) Setback (PV array)	20 ft. / 90 ft. 12 ft. 12 ft.	N/A N/A N/A	82 ft. 20 ft. None	None required None required Relief required
Lot Area § 401	NA	14,240 sq. ft.	14,240 sq. ft.	None required
Floor Area Ratio § 771.2	5.0 Res. 4.0 Non-Res.	0 Res. 4.0 Non-Res.	0 Res. 4.0 Non-Res.	None required
Lot Occupancy § 772.1	100%	86%	86%	None required
Rear Yard § 774	2 ½ in./ft. height 12 ft. min.	Court in lieu	Court in lieu	None required
Side Yard § 775	NA	NA	NA	None required
Court, Closed §776	18 ft. 3 in.	23 ft.	23 ft.	None required
Court, Open §776	866 sq. ft.	1,861 sq. ft.	1,861 sq. ft.	None required
Parking § 2101.1	31 spaces	32 spaces	23 spaces	Relief required
Loading § 2201	1 berth 12 x 30 1 service 10 x 20 1 platform 100 sf.	1 berth 12 x 30 1 service 10 x 20 1 platform 100 sf.	1 berth 12 x 30 1 service 10 x 20 1 platform 100 sf.	None required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 2101.1, Parking, pursuant to § 3103.2

i. Exceptional Situation Resulting in a Practical Difficulty

The existing building provides the required parking on-site; however, the proposed renovation would result in a reduction in parking due to the installation of a below-grade cistern and sewer heat exchange. The existing building and established use on the Subject Property result in an exceptional situation. The Applicant is limited in its ability to locate the cistern and heat exchange as the existing building is situated on almost the entirety of its lot with existing below-grade parking.

Given the existing structure and use, there is not another location for additional parking spaces. Further, the only practical location for the cistern and sewer heat exchange is within the below-grade parking garage. To require the Applicant to comply with the parking requirement would result in a practical difficulty.

ii. No Substantial Detriment to the Public Good

The reduction in parking should not cause a detriment to the public good. The Property is located in close proximity to public transportation and the Applicant proposes to maintain 23 parking spaces on site. The Applicant indicates that AGU has surveyed its employees and approximately half of its employees use a mode other than automobile to commute to work.

¹ Information provided by Applicant. See Exhibits 3, 33, and 34.

iii. No Substantial Harm to the Zoning Regulations

Given the Property's proximity to transit and the mode share of employees, granting the variance should not cause substantial detriment to the Zoning Regulations.

b. Special Exception Relief from §§ 411.11 and 777.1, Penthouses, pursuant to § 3104.1

i. Meeting the requirement would be impracticable because of operating difficulties, such as meeting Building Code requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly, or unreasonable.

Full compliance with the setback requirements would be unduly restrictive and unreasonable. Strict compliance with the Zoning Regulations would impede the Applicant's net-zero energy goal and would prevent the Applicant from achieving a net-zero building. The solar panels required to operate the Subject Property as a net-zero energy building must cover the entirety of the building's roof and extend beyond the property line into public space. Given the spatial requirements and need to capture the maximum amount of sunlight possible, the solar panels cannot be set back from the various rooflines.

ii. The intent and purpose of this chapter and this title shall not be materially impaired by the structure.

The Project should not impair the intent and purpose of the penthouse regulations or the Zoning Regulations. The penthouse setback requirements are designed to prevent unsightly, bulky, and massive roof structures, and the solar panel structure achieves a high level of design which has been approved by HPRB. The proposed renovation would result in the first net-zero energy commercial building in the District of Columbia and would further City goals for sustainability and energy efficiency. The proposal represents a highly unique model sustainability project in line with the District's green building, energy and water efficiency, and renewable energy goals and AGU's mission.

iii. The light and air of adjacent buildings will not be affected adversely.

The proposed canopy and solar array should not impair the light and air available to adjacent buildings. The 1920 Height Act limit for a building on this site would be 120 feet and the existing building measures 70 feet in height. With the proposed canopy and elevator override, the total height of the building would be 88.5 feet. The Project proposes an innovative, environmental roof structure that is not a solid mass extending, but rather a canopy with a sufficient light and air underneath such that it should not negatively impact the light and air of adjoining properties.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

At the time this report was written, comments from other District agencies had not yet been submitted to the record.

VII. COMMUNITY COMMENTS

ANC 2B is scheduled to take up the Applicant's request for relief at its regularly scheduled meeting, held on July 13, 2016.

Letters to the record in support of the application were received from City Councilmember Jack Evans, Ward 2 (Exhibit 30), as well as the Events DC (Exhibit 32).

Attachment: Location Map



Figure 1: 2000 Florida Avenue NW