



MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: April 19, 2011

SUBJECT: BZA Case No.18201, 1072 Thomas Jefferson Street, NW

I. OFFICE OF PLANNING RECOMMENDATION

The original submission requested variance relief, pursuant to 11 DCMR § 3102.3, from the requirements of § 933.2 (rear yard: 12 feet required - 0 feet proposed) to allow a four-story addition to an existing three-story building. Subsequently, the applicant made changes to the design of the development which has resulted in the need for relief from the requirement of § 933.2 (open courts; 10 feet width required-2.5 – 2.5 to 6.5 feet proposed) and special exception review of the requirements of § 2120.6 (parking: 0 parking spaces proposed).

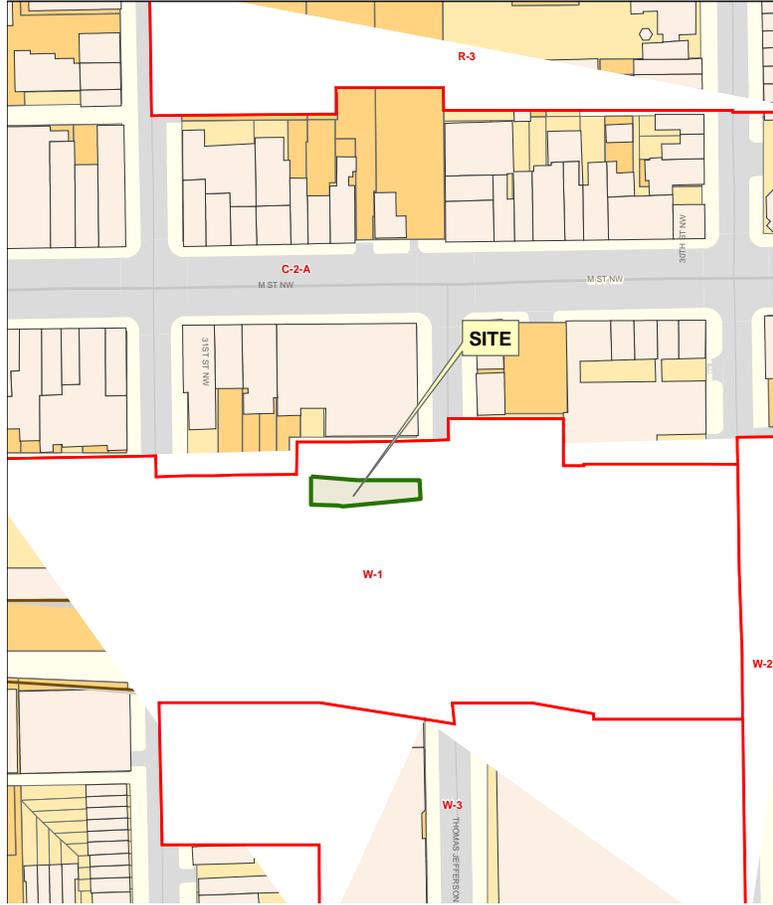
The Office of Planning (OP) recommends **approval** of the variances and special exception as they would not affect the light, air and privacy to adjacent properties. The location and scale of the proposed addition would not be intrusive on the historic character of the area and would be complementary to the historic resource to which it is being added.

II. AREA AND SITE DESCRIPTION

Address:	1072 Thomas Jefferson Street, NW
Legal Description:	Square 1198, Lots 821 and 822
Ward:	Ward 2, ANC-2E
Zoning:	W-1
Lot Characteristics:	The lot is nearly rectangular with an area of 2,933 square feet and is developed with an office building, portions of which are at three-, two- and one-story, and three parking spaces. A 19.2 feet wide alley is to the rear of the property.
Adjacent Properties:	Immediately to the north of the property is a four story building that is solely used as commercial office space. The property immediately to the south is a four story building with ground floor retail and residences above.
Neighborhood Character:	The neighborhood is developed with a mixture of residences, office, retail, and hotel uses. The area has buildings of various heights ranging from two to seven stories.
Historic Preservation:	The property is within the Georgetown Historic District and is listed on the National Register of Historic Places as the Adams Mason House.



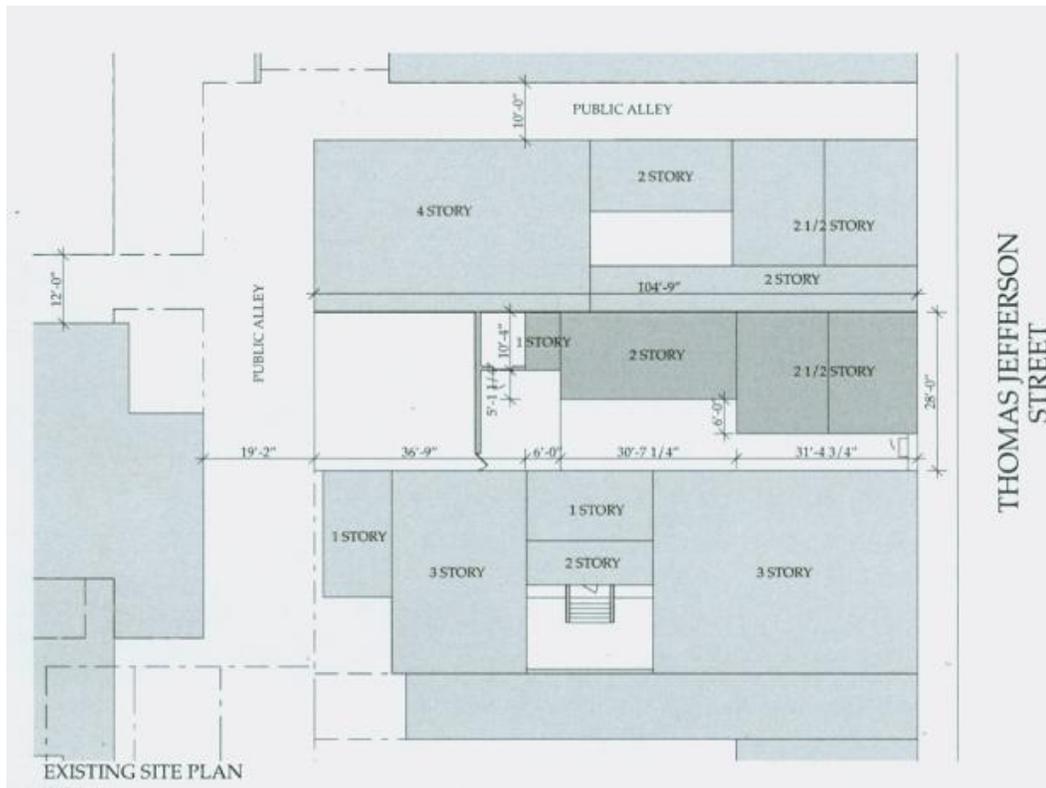
IV. MAPS



Site Location



Picture of Site



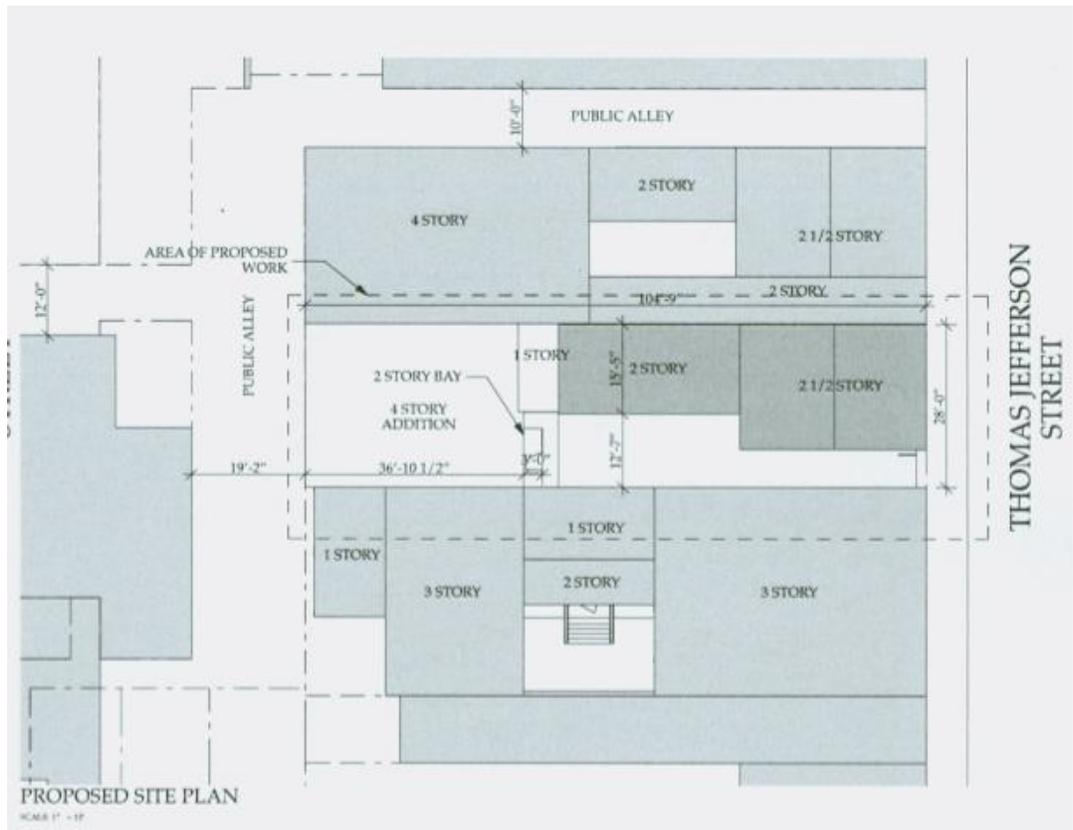
Existing Site Plan

III. HISTORIC PRESERVATION

The property is located in the Georgetown Historic District and is on the National Register of Historic Places as the Adams Mason House. Development on the property is subject to review by the Old Georgetown Board (OGB) and the Commission of Fine Arts (CFA). Additionally, the Foundation for the Preservation of Historic Georgetown (FPHG) holds a Scenic, Open Space and Architectural Façade easement over Lot 822. The purpose of the easement is to “assist in preserving and maintaining the premises and the architectural ensemble of the Old Georgetown Historic District” and requires that any changes to Lot 822 be approved by the FPHG. Both the FPHG and the OGB have reviewed the proposal and their recommendations have been incorporated into the submission. CFA review will take place at a later date subsequent to the BZA review.

IV. PROPOSAL

The applicant wishes to construct a four-story addition to the rear of the historic resource. Lots 821 and 822 will be combined to create a single lot of record to accommodate the development. The historic resource will continue to be occupied by wholly office uses while the ground floor of the addition will be office use and one residential unit and all residential use on the upper floors. The overall development will have 2,933 square feet of office use and 3,812 square feet of residential use (five units).



Proposed Site Plan

The scenic, open space and architectural façade easement held by the FPHG allows them approval over any construction, alteration or addition on the property. Both the FPHG and the OGB have stipulated that the majority of the addition has be on Lot 821 and that it be placed as far back from the street as is possible to minimize its view from and its impact on the historic character of Thomas Jefferson Street. In order to accommodate this request and have reasonable sized residential units, full relief from the required rear yard is requested. Currently, there exists a side yard on the south side of the historic resource. The portion closest to Thomas Jefferson Street is 6.5-feet wide and is non-conforming as the minimum side yard requirement in the W-1 zone is 8 feet, if provided. With the addition to the historic resource, the side yard becomes a nonconforming open court. The design of the addition has resulted in the creation of 3 additional non-conforming, open courts. Additionally, the existing 3 parking spaces will not be replaced as part of the development.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

W-1 Zone	Regulation	Existing	Proposed ¹	Relief
Lot Width	None prescribed	28 ft. at front 25 ft. at rear	28 ft. at front 25 ft. at rear	None required
Lot Area	None prescribed	2,933 sq. ft.	2,933 sq. ft.	None required
Height § 930	45 ft. max.	27.5 ft.	44.3 ft.	None required
FAR § 931	2.5 –Residential 1.0 –Other	0.86 – Office	1.3 – Residential 1.0 - Office 2.3 Overall	None required
Lot Occupancy § 932	80% max. Residential	39.3% - Office	79.8% - Residential	None required
Rear Yard § 933	12 ft. min.	36.8 ft.	0 ft.	Required
Open Court § 935	Residential Width: 4 ft./1ft. of height or a minimum of 10 ft. Other: 2.5 ft./1 ft. of height or minimum of 6 ft.	None	Court 1 – 6.5 ft. Court 2A – 2.5 ft. Court 2B – 2.5 ft. Court C – 6.83 ft.	Required
Parking Spaces § 2101	3	3	0	Special Exception Required

VI. OFFICE OF PLANNING ANALYSIS

VARIANCE

As shown on the table above, the proposal does not meet the rear yard and open court requirements. The following addressed how the applicant meets the variance relief:

i. Uniqueness Resulting in a Practical Difficulty

The property is unique due to an exceptional situation. The property is a designated historic landmark and is subject to a scenic, open space and architectural façade easement. Both the FPHG and OGB have limited where development on the site may take place. Within the area, these characteristics are unique to this property.

Rear Yard

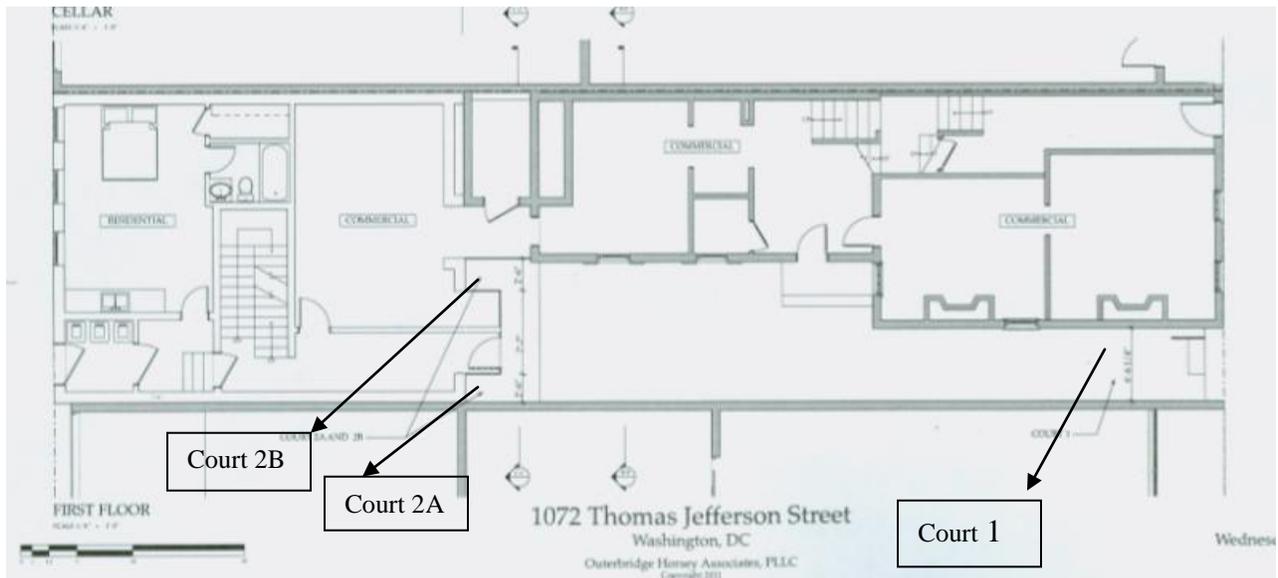
FPHG require that the existing building and adjacent open space be preserved and the OGB require that the addition be push toward the rear of the property in order to minimize the visual impact of the addition from Thomas Jefferson Street. If the proposed addition was required to meet the 12 feet rear yard requirement and also be set-back from the existing historic structure as required by OGB the effect would be a residential floor plate that would have a narrow depth of 23.5 feet which

¹ Information provided by applicant.

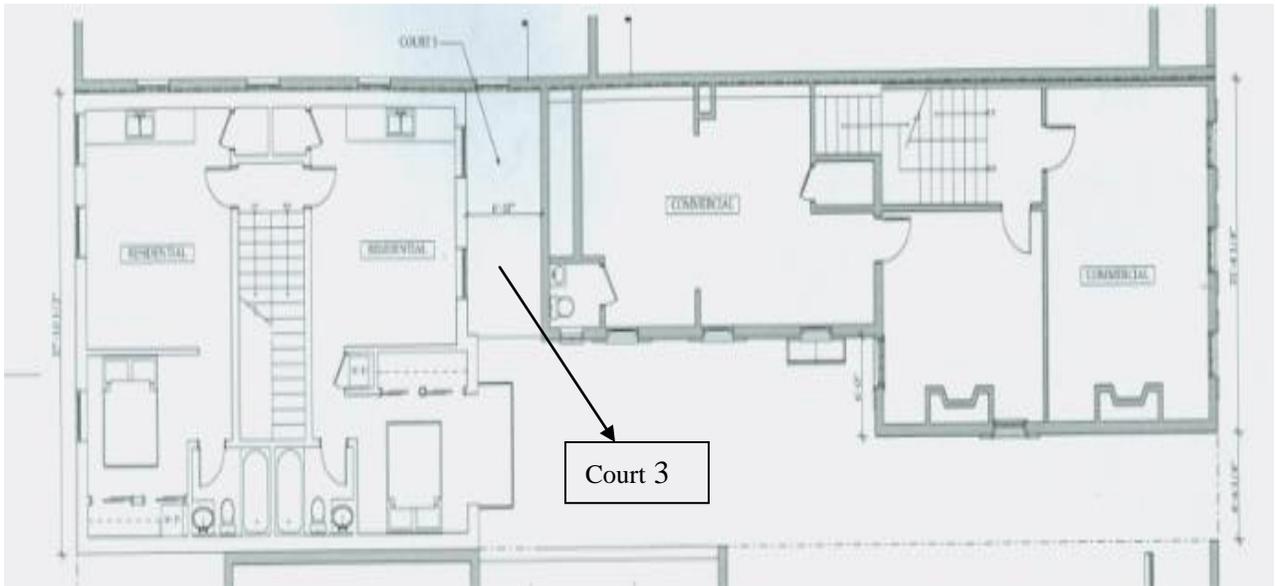
is not sufficient to provide marketable residential units. The stair core that is necessary to provide access to those units further constraint options. The applicant is faced with a practical difficulty in satisfying the goals of the FPHG and the OGB and the rear yard requirements of the Zoning Regulations.

Courts

Currently, the historic resource has a south side yard with the narrowest portion being 6.5 feet, making it a non-conforming side yard. However, with the residential space on the ground floor of the addition, the side yard is converted a court (Court 1). The required residential court width is a minimum of 10 feet in the W-1 zone. Therefore, the 6.5 feet wide court is non-conforming. The applicant has a practical difficulty in meeting the requirement as the historic resource cannot be altered and there is no additional land for its expansion. Another solution would be to fill in the space and eliminate the court. However, both the OGB and FPHG will not allow any construction within the side yard.



On the front of the addition Courts 2A and 2B were created due to the addition of a bay. The bay was added at the request of the OGB and resulted in the creation of the two courts (each 2.5 feet wide). Further, the OGB requested that a separation between the addition and the existing historic structure be provided beginning at the second floor of the addition. This has resulted in the creation of a 6.38 feet wide open court above the one story portion of the historic resource (Court 3). If the addition were to be pushed back further to meet the 10 feet wide court requirement it also would have reduce the size of the residential units. The request of the OGB therefore makes it a practically difficult to meet the requirement.



ii. No Substantial Detriment to the Public Good

The proposed massing of the addition is fairly similar to those of the immediately adjacent buildings along the alley and therefore will not be a detriment to the public good. The adjacent alley width, the similarity in height of adjacent buildings, and the lower heights of buildings further along the alley will allow adequate light and air to the units even with the loss of the rear yard. Court 3 will help to provide light and air to the new units which would not be possible if the court was eliminated. Further, Court 3 will also allow some of the “at risk” windows on the adjacent building to have an opening for light and air. Therefore, granting the variances will not be a detriment to the public good.

iii. No Substantial Harm to the Zoning Regulations

Within the area there are other buildings with similar additions. The massing of the proposed addition is similar to the adjacent buildings and maintains the architectural integrity of the historic resource. The proposed addition increases the amount of residential use in the W-1, mixed-use district as well as augmenting the pattern of uses in area. Therefore, the rear yard and court relief requested would not impair the zone plan.

PARKING

There are currently three on-site parking spaces to serve the office use. The W-1 zone requires one parking space for every 3 residential units and one parking space for every 1,800 square feet of office use (in excess of 2,000 square feet). Therefore, the proposed project would require 3 parking spaces. However, Section 2120.3 of the Regulations, allows existing and new uses in historic resources and additions to only provide parking spaces if the gross floor area of the historic resource is being increased by 50% or more and the parking requirement attributable to the increase in gross floor area is at least 4 parking spaces. In this case, the requirement would be three spaces and therefore no parking spaces are required. However, the applicant has stated (and confirmed by OP) that the Zoning Administrator has determined that even though Section 2120.3 may exempt the

property from the requirement, the removal of existing parking spaces on a property deemed a historic resource require special exception review under Section 2120.6.

2120.6 The Board of Zoning Adjustment may grant relief from all or part of the parking requirements of this section if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking will result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. The Board shall grant only the amount of relief needed to alleviate the difficulty proved. The applicant shall also demonstrate compliance with the general special exception standard set forth in § 3104 and shall address each of the following criteria as part of its presentation to the Board:

Maintaining the integrity and appearance of the historic resource is accomplished by pushing the addition to the rear of the lot to minimize the visual appearance of the addition from Thomas Jefferson Street. In addressing the request by OGB to push the addition away from the historic resource the stair core of the addition is proposed to be located further to the rear of the lot and does not allow for the retention of the three parking spaces.

(a) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

The limited amount of office space and five residential units is not envisioned to generate a significant number of persons going to and from the site.

(b) Amount of traffic congestion existing and/or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;

The existing commercial uses in the area generate traffic that results in congestion along the alley. Since the property is not expected to generate large numbers person coming to the site the situation is not expected to be made worse by the proposed development.

(c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and

Within the immediate area there are a number of commercial parking garages that will be able to satisfy the needs of residents, employees and visitors to the site both in the daytime and at night.

(d) Proximity to public transportation, particularly Metrorail stations, and availability of either public transportation service in the area, or a ride sharing program approved by the District of Columbia Department of Transportation.

The property is located approximately half a block south of M Street, NW, which has a number of a significant public transportation options such as WMATA buses which travel frequently along this roadway.

2120.7 Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

DDOT will provide a report under separate cover.

VII. COMMUNITY COMMENTS

The proposal was reviewed by ANC-2E on Monday April 4, 2011 which voted to recommend approval of the requested variance and special exception. The FPHG has also recommended approval with conditions. At the time of this report the proposal is still under review by the OGB following which it will be reviewed by the full CFA.

VIII. CONCLUSION AND RECOMMENDATION

The applicant has incorporated the addition with the historic resource in a seamless manner that allows the addition but respects the historic character of the Mason House as well as and the historic character of Thomas Jefferson Street. In trying to be respect of the historic resource, the design of the addition has created courts that do meet the required widths. The design has also led directly to the elimination of the rear yard and parking spaces. The requested variance and special exception will not adversely affect the historic resource of the surrounding area. OP therefore recommends approval of the requested variances and special exception.