



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Elisa Vitale, Case Manager
Joel Lawson, Associate Director Development Review

DATE: November 28, 2012

SUBJECT: BZA Case 18476 - request for special exception relief from the maximum building height (§ 1902.1) and roof structure enclosure requirements (§ 411.5) and area variance relief from off-street parking (§ 2101.1) and minimum required parking space size (§ 2115.1) to construct a mixed-use building at 1617 14th Street, NW.

I. OFFICE OF PLANNING RECOMMENDATION

With regards to this proposal to construct a 7-story mixed-use building at 1617 14th Street NW, the Office of Planning (OP) recommends **approval** of the following relief:

Special Exception (pursuant to § 3104.1):

- § 1902.1, building height for roof structure (83.5 feet permitted by right; 90 feet proposed); and
- § 411.5, roof structure enclosure (varying heights of 6 feet, 10 feet, and 15 feet).

Area Variance (pursuant to § 3103.2):

- § 2101.1, off-street parking (21 spaces required; 10 proposed); and
- § 2115.1, minimum required parking space dimensions (4 spaces will meet the minimum required dimensions).

II. LOCATION AND SITE DESCRIPTION

Address:	1617 14 th Street, NW (See Attachment 1.)
Legal Description:	Square 0240, Lot 0160
Ward:	2F
Lot Characteristics:	The property, a corner lot, is rectangular in shape. The property is bounded on the west by 14 th Street NW, the south by Corcoran Street NW, and the east by a 10-foot public alley. To the north are commercial buildings.
Zoning:	ARTS/C-3-A – Arts Overlay District and medium bulk major business and employment center.
Existing Development:	The lot was formerly an AMOCO gas station and is now a vacant parcel used as a ZipCar parking facility.
Historic District:	Greater Fourteenth Street Historic District



Adjacent Properties:	To the north is a three-story commercial building that is currently vacant. To the south, across Corcoran Street, is the John Wesley AME Zion Church. Across the alley to the east is row dwelling.
Surrounding Neighborhood Character:	The immediate area consists of a wide variety of institutional, commercial, and residential uses. Along 14 th Street are commercial businesses and residential apartment buildings which are zoned ARTS/C-3-A. Row dwellings are located to the Property's east and are zoned R-4.

III. PROJECT DESCRIPTION IN BRIEF

Applicant:	1617 14 th Street, LLC, developer/owner
Proposal:	The applicant is proposing to construct a seven-story mixed-use building with approximately 35 dwelling units and 4,000 square feet of ground floor retail space.
Relief Sought:	The applicant seeks special exception relief to have a roof structure that exceeds 83.5 feet in the ARTS Overlay (§ 1902.1) and to have roof structure enclosures of unequal heights (§ 411.5). The applicant seeks a variance to permit the provision of 10 parking spaces in lieu of the 21 required spaces (§ 2101.1) and to permit the parking space dimensions to be less than the required 9 by 19 feet (§ 2115.1).

IV. ZONING REQUIREMENTS

ARTS/C-3-A Zone	Regulation	Existing	Proposed ¹	Relief:
Lot area (s. f.)	N/A	7,343	7,343	None required
Lot width (ft.)	N/A	71	71	None required
Floor area ratio (s. f./lot) § 771.2/§ 1904.1	Commercial - 2.5 Residential - 4.0 Total = 4.0 + 20% IZ=4.8 4.8+ (ARTS bonus) 0.5 = 5.3	N/A	5.3	None required
Rear Yard (ft.) § 774.1	2.5 in./ft. of height + 12' min.; 15.62' required	N/A	15 ft. 7.5 in.	None required
Height (ft.) Arts Overlay § 1902.1	75 ft. building 83.5 ft. roof structure	N/A	75 ft. building; 85 ft. roof access 90 ft. elevator overrun	Conforms for building height; 1.5 ft. relief needed for roof access; 6.5 ft. relief needed for elevator overrun

¹ Information provided by applicant.

ARTS/C-3-A Zone	Regulation	Existing	Proposed ¹	Relief:
Parking (number) § 2101.1	18 residential spaces (.5/unit)	N/A	4 standard	11 spaces
	3 retail spaces (4,000 sq. ft.)		6 compact	
	21 total spaces		10 total spaces	

V. OP ANALYSIS:

a. Special Exception Relief from §§ 1902.1 and 411.5

The applicant is seeking special exception relief from § 1902.1, which limits the height of buildings in the C-3-A zone to 75 feet, provided that no roof structure shall exceed a height of 83.5 feet above the measuring point used for the building. The proposed building does not exceed the 75-foot height limit; however, the elevator overrun would measure 90 feet above the measuring point.

The applicant is seeking special exception relief from § 411.5, which requires that enclosing walls from roof level shall be of equal height. The proposed building would have roof enclosures of three separate heights: elevator overrun at 15 feet; penthouse at 10 feet (which includes the stair, elevator and mechanical equipment); and emergency generator at 6 feet.

The Board of Zoning Adjustment may grant exceptions under § 3104.1 from any of the requirements or limits of the ARTS District, other than § 1901.6, based upon the following criteria; except that the Board shall apply criteria (c) and (d) only if relevant to the relief sought.

- i. The uses, buildings, or features at the size, intensity, and locations proposed, will substantially advance the purposes of the ARTS Overlay District and will not adversely affect neighboring property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area;**

In general, the proposed project would advance the purposes of the ARTS Overlay District as it would provide a mixed-use building with ground floor retail and residential units above at a property that currently serves as a surface parking lot. Although the proposed building would not exceed the 75-foot height limit, a portion of the roof structure would exceed the 83.5-foot height restriction by 6.5 feet to accommodate the elevator overrun. Additionally, the applicant states that the enclosing walls of the elevator, penthouse, and emergency generator roof structures would have varying heights of 15 feet, 10 feet, and 6 feet, respectively. To construct an enclosure of uniform height would produce a more conspicuous roof structure. The provision of multiple, unique enclosures would minimize the bulk of the proposed building's penthouse. The roof structures and associated enclosures are set back from the property lines, which should further minimize the effect on neighboring properties.

- ii. Exceptional circumstances affecting the property make compliance with the requirements of this chapter difficult or impossible, or the development provides alternative public benefits in lieu of the excepted uses or features that are of comparable value to the public in achieving the purposes of this chapter and of the Comprehensive Plan;**

Buildings in the ARTS/C-3-A zone are permitted to reach a height of 75 feet and roof structures are permitted an additional 8.5 feet of height for a total height of 83.5 feet (§1902.1). The applicant is

proposing a roof deck as a project amenity and would need to provide access to the roof for all residents, including those with disabilities. The additional height for the roof enclosures, would be required to accommodate the elevator overrun. Without the additional roof structure height, elevator access to the roof deck would not be possible.

- iii. **The architectural design concept of the project will enhance the urban design features of the immediate vicinity in which it is located; provided, if a historic district or historic landmark is involved, the Board shall refer the application to the State Historic Preservation Officer for review and report;**

The property is located in the Greater Fourteenth Street Historic District. The Historic Preservation Review Board (HPRB) heard the case at its June 28, 2012 meeting and voted unanimously to approve the concept design and to delegate final approval to staff. Staff noted that the height, masonry materials, and formal façade organization are complementary and compatible with the character of the Wesley AME Church across the street, the Central Union Mission building on the opposite end of the block, and the other auto showrooms on the street. On the Corcoran Street side, the step down in the height of the masonry block, the smaller window openings, and the depth of the recess for the windows scales the building down so that it successfully relates to the character of the adjoining rowhouses.

- iv. **Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions; and**

This provision is not relevant to the relief sought.

- v. **The Board may impose requirements pertaining to design, appearance, signs, size, landscaping, and other such requirements as it deems necessary to protect neighboring property and to achieve the purposes of the ARTS Overlay District.**

No additional requirements pertaining to design, appearance, or size of the roof structures and associated enclosures are proposed.

b. Variance Relief from § 2101.1 and 2115.1

In order to be granted a variance, the applicant must demonstrate how they meet the three-part test described in § 3103.2.

The applicant is requesting a variance relief from § 2101.1 to provide 10 residential parking spaces for the project where 18 are required, and 0 retail parking spaces where 3 are required. The applicant is also requesting variance relief from § 2115.1 to provide only 4 parking spaces that meet the minimum required parking space dimension of 9 by 19 feet. The applicant is proposing to provide 6 compact spaces for a total of 10 spaces.

- i. **Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?**

The property has an exceptional condition that leads to a practical difficulty. The developable area of the property is constrained given its small footprint – 71 feet wide along 14th Street. The width

of the site, along with the fact that the project would be infill construction, makes the provision of parking inefficient.

ii. Does the extraordinary or exceptional situation described in the first part of the variance test impose a practical difficulty which is unnecessarily burdensome to the applicant?

The applicant would encounter practical difficulties if required to comply with the residential parking requirement and minimum required parking space dimensions. The size of the property coupled with the infill nature of the proposed building would make the construction of on-site parking inefficient. The applicant has indicated that limited space would be available for parking within the building footprint once the below-grade utility spaces and required garage ramps are sited. The applicant would be required to provide at least one additional level of below-grade parking to meet the minimum requirement of 21 spaces. Additional levels of below-grade parking also would be constrained by the ramps required for access.

iii. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?

There would be no substantial detriment to the public good and no substantial impairment to the intent, purpose and integrity of the Zoning Regulations and Map should the Board grant the requested variances. The proposed project would be consistent with the goals of the Arts Overlay and would provide a mixed-use project with ground floor retail and mixed-income housing above.

The property currently features 4 curb cuts that provide access from 14th and Corcoran Streets NW. The applicant is proposing to eliminate the curb cuts and provide access via the 10-foot public alley. Closure of the curb cuts would provide additional on-street parking spaces and an uninterrupted sidewalk for pedestrian circulation, as well as reduce turning movements from 14th and Corcoran Streets NW.

Furthermore, the property is located on 14th Street NW – a well-served transportation corridor. The applicant is proposing traffic demand management measures as part of the project.

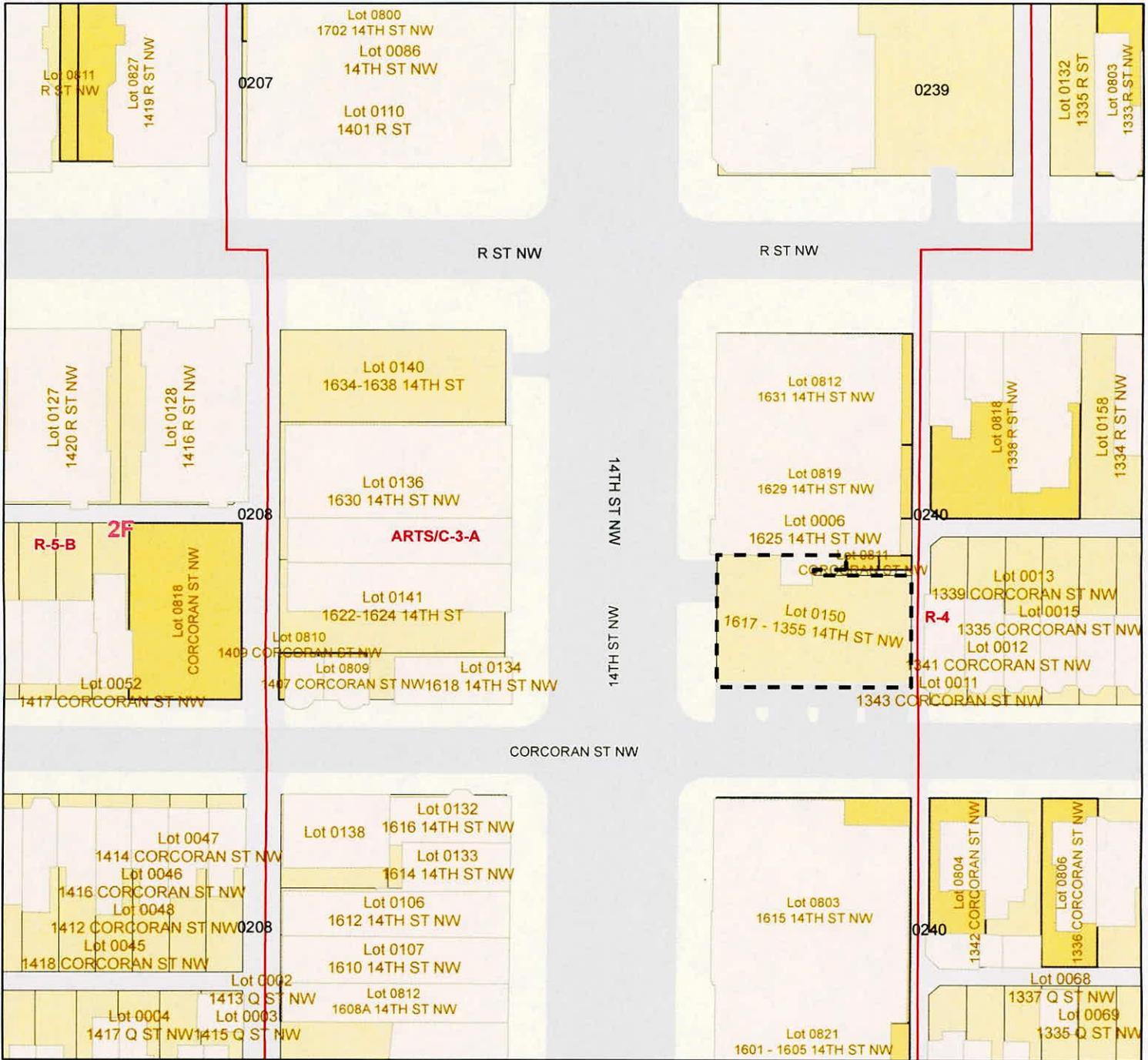
VI. COMMUNITY COMMENTS

The applicant reports that Advisory Neighborhood Commission (ANC) 2F voted on November 7, 2012 to support the subject application. An official ANC submission had not been received at the time this report was drafted.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

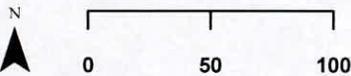
No comments had been received from other District agencies at the time this report was drafted.

Attachments: Location map



OPID00022716

Feet



Government of the District of Columbia
 Office of Planning ~ November 28, 2012
 This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Development Review

- Zoning Districts
- Roads
- Street Centerlines
- Buildings
- Alleys and Parking
- 2002 ANCs
- Water
- Parks

