



## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

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

**DATE:** November 16, 2010

**SUBJECT:** BZA Case No. 18141 – Jubilee Housing, LLC

### I. SUMMARY RECOMMENDATION

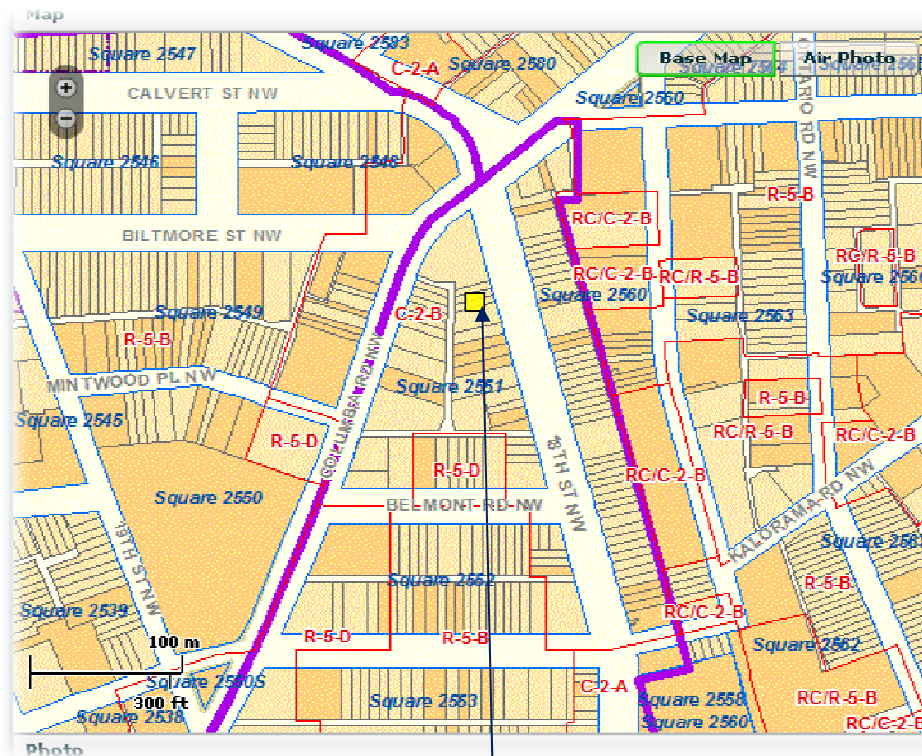
The Office of Planning (OP) recommends **APPROVAL** of:

- **Variance relief pursuant to § 771.2 of Title 11 DCMR**, to allow 3.1 FAR to be devoted to office use in the C-2-B District (1.5 FAR permitted) at 2448 18<sup>th</sup> Street NW, subject to the retention of a ground floor configuration which allows and does not preclude ground floor retail.

### II. AREA AND SITE DESCRIPTION

Address	2448 18 <sup>th</sup> Street NW
Legal Description	Square 2551, Lot 42
Ward	1C (SMD 1C03)
Lot Characteristics	Rectangular lot, with alley access from the west side at the rear. The property slopes towards the rear, with a grade change of 8.5 feet from the 18 <sup>th</sup> Street frontage to the alley at the rear.
Existing Development	Four-story row structure, currently vacant.
Zoning	C-2-B – designated to serve commercial and residential functions similar to the C-2-A District but with high-density residential and mixed uses.
Adjacent Properties	North: Three-story commercial row structure. South: Two-story commercial row structure. East: Across 18 <sup>th</sup> Street, commercial mixed-use buildings. West: Across a 15-foot wide rear alley, commercial uses which front on Columbia Road.
Surrounding Neighborhood Character	Mixture of residential and commercial uses. The property is within the <b>Washington Heights Historic District</b> and the Adams Morgan commercial district.





Zoning and vicinity map, with photo of existing condition - 2448 18<sup>th</sup> St NW.

### III. APPLICATION- IN-BRIEF

The applicant, Jubilee Housing, LLC proposes to convert a vacant mixed-use building into entirely office use in support of non-profit activity. A rear addition is proposed, including additional space for offices and stairways. The second floor would be increased by a 328 square-foot addition, and the fourth floor would be increased by 212 feet for a total of 4,573 square feet (gross floor area).

The addition would minimally expand the building to accommodate offices for non-profit use, including making the building ADA and building code compliant through the addition of an elevator and handicap

accessible entranceways and corridors. The parking requirement for office use in the C-2-B district prescribes one space for every 1,800 square feet of gross floor area (GFA) in excess of 2,000 square feet. This would result in 1 required parking space for the proposed use. One compact space is proposed as shown on submitted plans.

Prior to submission of this application, OP worked with the applicant to ensure that the location of the stairs and elevator would not preclude opportunities for ground floor retail. OP support for this proposal is contingent upon retaining the agreed to configuration.

OP was recently informed by the applicant that the space would no longer be occupied by Jubilee Jobs as previously submitted. OP has no additional information regarding the specifics of the proposed programming or operation expected by any new lessee of the office space. The applicant would provide further information at the public hearing.

**IV. ZONING REQUIREMENTS and REQUESTED RELIEF**

Requirements	Existing	Permitted/Required	Proposed	Relief
Lot Area	1,458 sf	-	1,458 sf	None required
Lot Width	16.75 ft.	-	16.75 ft	None required
Lot Occupancy (max.) § 772.1	83%	80%	83%	None Required
Floor Area Ratio (max.) § 771.2	Commercial = 0.76 Residential = 1.6 4,033 sf (GFA)	Commercial = 1.5 Residential = 3.5	C= 3.1 R=0 4,573sf (GFA)	<b>Variance required</b>
Building Height (max.) §770.1	46 ft (4 stories)	65 ft. (no limit)	46 ft (4 stories)	None required
Side Yard (min.) § 775.5	-	None	None	None required
Rear Yard (min.) § 774	None	15 ft. (min)	same	None required
Parking (min.) § 2101.1	1	1 space per 1800 sf of GFA, in excess of 2,000 sf	1 compact space	None required

**V. OFFICE OF PLANNING ANALYSIS**

**Variance to § 771.2 – Floor Area Ratio (FAR)**

Section 771.2 sets the maximum FAR within the C-2-B district for office uses at 1.5 FAR. The subject application proposes to exceed the permitted maximum by 100 percent.

Exceptional Situation

The subject property’s dimensions and physical features, in combination with its non-compliance with current building code requirements for a four-story building present a confluence of factors which result in an exceptional situation of the property. The building’s narrow width at 16 feet, required elevator access and fire-rated stairwells for this building class would substantially limit the available ground floor space which could be devoted to retail purposes.

### Practical Difficulty

This exceptional situation creates a practical difficulty for the owner in their ability to lease space devoted to both residential and commercial uses. The building addition proposed on the structure's rear, would be largely devoted to the provision of a modern stairwell, and ADA compliant corridors.

The existing building has no elevator, and was developed at a time prior to handicap accessible entrances. It is now required to provide egress widths for corridors and restrooms that would be necessary for the building's separate residential and non-residential uses. Building additions that would be necessary to make the building ADA compliant and adapted to its intended mixed-use purpose would potentially increase both lot occupancy and FAR beyond what is permitted in the zone.

A mixed-use building designed to meet the code standards would require two fire-rated stair enclosures and an elevator for separate uses. This would invariably use a large amount of the existing narrow ground floor area. The applicant provided that the minimal square footage to include these requirements would be at least 1,397 square feet or 30% of the proposed total gross square footage. The proposed addition's area (530 sf) is 62% less than the square footage required to meet the required building code standards.

The proposed office use of the building would require substantially less square footage devoted to egress to create more usable space. Based on the applicant's information, the proposed total area for egress and egress circulation would represent three times the area of the proposed addition (Page A3 of submitted plans).

Overall, approximately 40 percent of the gross floor area of the building would be devoted to updated support functions of the building, including restrooms, elevator, two staircases, and circulation spaces and not to the office space the building would provide. The building's lot occupancy could not be expanded without additional relief to upgrade the building to contemporary standards. Therefore the applicant has proposed an office use which would be a more practical alternative to the building's mixed use.

### Impact on the intent of the Zone Plan and Neighborhood

The requested variance would allow for the adaptive reuse and modernization of an existing, long-vacant structure and the proposed addition would infill a gap along the historic district's streetscape. The use is permitted in this zone district. The commercial district has a number of existing ground floor commercial uses. Therefore, variance relief in support of the building's re-use should not be of substantial detriment to the intent of the zone plan or neighborhood.

## **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

No comments were received from other District agencies.

## **VII. COMMUNITY COMMENTS**

ANC1C voted in support of the application at its regularly scheduled meeting in November, 2010.