



MEMORANDUM

TO: Board of Zoning Adjustment

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

DATE: September 28, 2010

SUBJECT: **BZA Application 18111** – 2900 K Street, NW

I. SUMMARY RECOMMENDATION

The Office of Planning recommends **approval** of the following relief requested in order to allow existing dwelling units onsite to be converted to office use:

- a variance to increase the current allowable nonresidential floor area ratio (FAR) on this property from 2.05 to 2.42 FAR;
- a special exception in accordance with § 931.2 to reduce the parking required on-site as a result of the proposed change per § 2101.1 by nine spaces from 85 spaces to 76 spaces.

II. SITE AND AREA DESCRIPTION

Address:	2900 K Street NW
Legal Description:	Square 1171 Lots 814, 7001, 7002 and 82 (part)
Ward:	2
Lot Characteristics:	An irregularly shaped site of 61,260 square feet (1.41 acres) with frontage along 30 th Street NW.
Existing Development:	A single building consisting of two "towers" rising from a continuous one-level garage below-grade. Vehicular access to this garage is from 30 th Street NW through the north tower. The south tower ("House of Sweden"), that is the subject of this application, has conference, meeting, function and exhibit spaces below-grade and on the first and a portion of the second floors; the King of Swedish chancery on the balance of the second and all the third floors; and a combination of office and residential uses occupy the fourth and fifth floors.
Zoning:	W-2 – residential, chancery and office uses are allowed as a matter of right up to a maximum 4.0 FAR, of which up to 2.0 FAR may be non-residential uses. The Board of Zoning Adjustment (BZA) recently approved Application No. 17972-A, a special exception application per § 1002.1 to increase the allowable non-residential FAR onsite from 2.0 to 2.05 to allow conversion of one dwelling unit to chancery use for the Embassy of Iceland.

Historic District:	None
Adjacent Properties:	Immediately north of the subject property is a 120-space underground garage operated by Colonial Parking, then K Street and the elevated Whitehurst Freeway; Rock Creek and the Rock Creek Park border the property the south and east, and beyond these areas is the Potomac River; and west across 30 th Street is the Washington Harbour mixed-use development.
Surrounding Neighborhood Character:	Medium-density mixed use and parkland (refer to Figure 1).

III. APPLICATION IN BRIEF

Applicant: Kingdom of Sweden by the National Property Board Sweden, SFV

Proposal: The convert 23,350 square feet in 14 residential units to office space.

The subject property is located in a W-2 district. Section § 901.1 of the current Zoning Regulations allows multiple dwelling, chancery and office uses as a matter-of-right in this district. The site is also subject to the following pertinent zoning provisions:

Standard	W-2 Requirement	Existing	Proposed	Relief Required?
Lot Area (\$401.3)	61,636 s.f.	Same	Same	N/A
Floor Area (\$931.3)	4.0 FAR (max. 2.05 FAR nonresidential / up to 4.0 FAR residential)	2.863 FAR (2.035 FAR [125,444 s.f. of office, chancery]) / (0.828 FAR [51,018 s.f. in 25 dwelling units])	2.863 FAR (2.414 FAR [148,794 s.f. of office, chancery]) / (0.449 FAR [27,668 s.f. in 11 d.u.'s])	Yes (0.364 FAR office)
Parking (\$2101.1)	office: 1 space / 1,800 s.f. > 2,000 s.f. residential: 1 space / 3 dwelling units	76 spaces (capacity) (67 ¹ sp. allocated for office / 9 sp. allocated for residences)	84.22 spaces (approx. 80.55 ¹ sp. allocated for office / 3.67 sp. allocated for residences)	Yes (8-9 spaces for office)

Section 931.3 allows a maximum 4.0 FAR in the W-2 district but limits non-residential uses to a maximum FAR of 2.0. As a result of the above-referenced BZA action, the allowable non-residential FAR onsite is currently 2.05.

This proposal would reallocate existing building square footage designated for office and residential uses. The building would not be expanded and no changes are proposed to existing chancery uses.

As a result the applicant has applied for variance relief to increase the current allowable nonresidential FAR from 2.05 to 2.414 (rounded to 2.42 FAR for ease of administration). Special exception approval was also requested under § 2108.1 to reduce the total required parking by eight spaces (10%) from 84 spaces to 76 spaces, the capacity of the existing underground garage.

¹ Order No. 17972 also reduced the parking required as a result of the proposed change of use on site by one parking space to the 76-vehicle capacity of the underground garage.

OP suggested increasing the requested relief to 9 spaces. Rounding the residential and nonresidential calculations individually results in parking requirements of four and 81 spaces, respectively, a total of 85 spaces. The increase was suggested to avoid potential confusion at the permitting stage if the Department of Consumer and Regulatory Affairs requires that the project meet the higher parking requirement for each category of use rather than for the overall site. The applicant agreed with this suggestion.

IV. OFFICE OF PLANNING ANALYSIS

Compliance with §3103.2

- Unique conditions or circumstances that result in a practical difficulty: The House of Sweden tower was designed at the behest of applicant to house and promote Swedish and other Nordic business, government (chanceries), and culture interests in Washington, D.C. The residential component on the upper floor was provided to enable representatives of the above-referenced firms could live onsite and conduct business in a portion of the dwelling unit.

Once constructed, the business model that the building was designed to implement did not work as intended. In practice, conducting official business in a portion of the living space proved not to be feasible. The application indicates that “the changing nature of business” resulted in their client companies desiring to instead lease dedicated office space onsite. Leasing the fourth floor residential units to the general public was not taken into consideration for the original design, and raised security concerns. Leasing office space to Swedish and other Nordic business raised few concerns because:

- office tenants would be subject to a (thorough) vetting process prior to occupancy;
- prospective companies ready to lease office spaces are well known to the landlord and embassy;
- building security would be notified in advance of each visitor’s arrival;
- visitors would be escorted by office staff to their destinations and out of the building when their business is concluded; and
- vendors would be subject to a similar level of scrutiny.

Given these circumstances, the applicant determined that the most viable option for utilizing the vacant residential space, consistent with the original intent of the building design and the stated security concerns, was to convert the remaining units to lease space for Swedish and other Nordic businesses.

- Detriment to the Public Good: Since the proposed changes would be entirely within the House of Sweden, granting the requested variance relief would be not detrimental to the public good. The proposal would allow currently vacant space that was not intended to be purely residential.
- Detriment to the Intent of the Zoning Regulations: Granting the requested relief to increase the allowable nonresidential lot occupancy would not be detrimental. The circumstance that the preferred mechanism for Swedish and other Nordic businesses to establish a presence onsite has changed was beyond the control of the applicant. The W-2 district is intended to permit a mix of uses, but encourages the provision of housing. The applicant attempted to meet this intent in a manner consistent with their chancery function and security needs, but the residential space has not been able to be utilized for that purpose. As such, the relatively small increase in the nonresidential FAR (0.36) would allow use of the space in an appropriate manner.

Compliance with §2108.1

2108.2 *The amount of required parking spaces ... shall not be reduced by more than twenty-five percent (25 %); provided, that for a use that is in the category of "All Other Uses" in the table in § 2101.1, the amount of required parking spaces shall not be reduced by more than fifty percent (50%).*

The total parking requirement would be reduced from 85 spaces to 76 spaces, a reduction of 9 spaces (11%).

2108.3 *The Board shall give consideration to the:*

(a) *Nature and location of the structure;*

The existing mixed use building located is along 30th and K Streets in Georgetown and is occupied by residential, government and office uses.

(b) *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 application does not provide this information.

(c) *Amount of traffic congestion existing or that the building or structure can reasonably be expected to create in the neighborhood;*

The parking garages beneath the House of Sweden and on the neighboring property to the north along K Street building have immediate access to 30th Street and from there to K Street and the Whitehurst Freeway. Garage access would not change under this proposal, so the proposed change in use is not anticipated to increase traffic congestion along the neighboring streets.

(d) *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 building or structure is in use;...*

Just south of the freeway and adjacent to the Harbourside building is a public parking garage in which the applicant has an option to lease up to 24 parking spaces, if needed. A public parking garage is located in the Washington Harbour building located across 30th Street from the site with other public parking garages in the vicinity along K, 29th, 30th, Thomas Jefferson and 31st Streets, and also Wisconsin Avenue.

A metered surface parking lot is directly across Rock Creek from House of Sweden. There is metered parking along K Street and the above-referenced side streets.

(e) *Proximity to public transportation, particularly Metrorail stations, and the availability of public transportation service in the area or a ride-sharing program approved by the D.C. Department of Transportation.*

The Foggy Bottom/GWU Metrorail Station is a short distance away, as are D.C. Circulator and Washington Metropolitan Transit Authority (Metro) Bus routes along M Street in Georgetown. There is a taxi stand at Washington Harbour and taxis are typically available along K Street.

2108.4 *If the applicant relies on a ride-sharing program, the applicant shall demonstrate to the Board that the program shall continue as long as the use continues.*

Not proposed in this case.

2108.5 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.

The District Department of Transportation did not indicate any concerns about this proposal to OP.

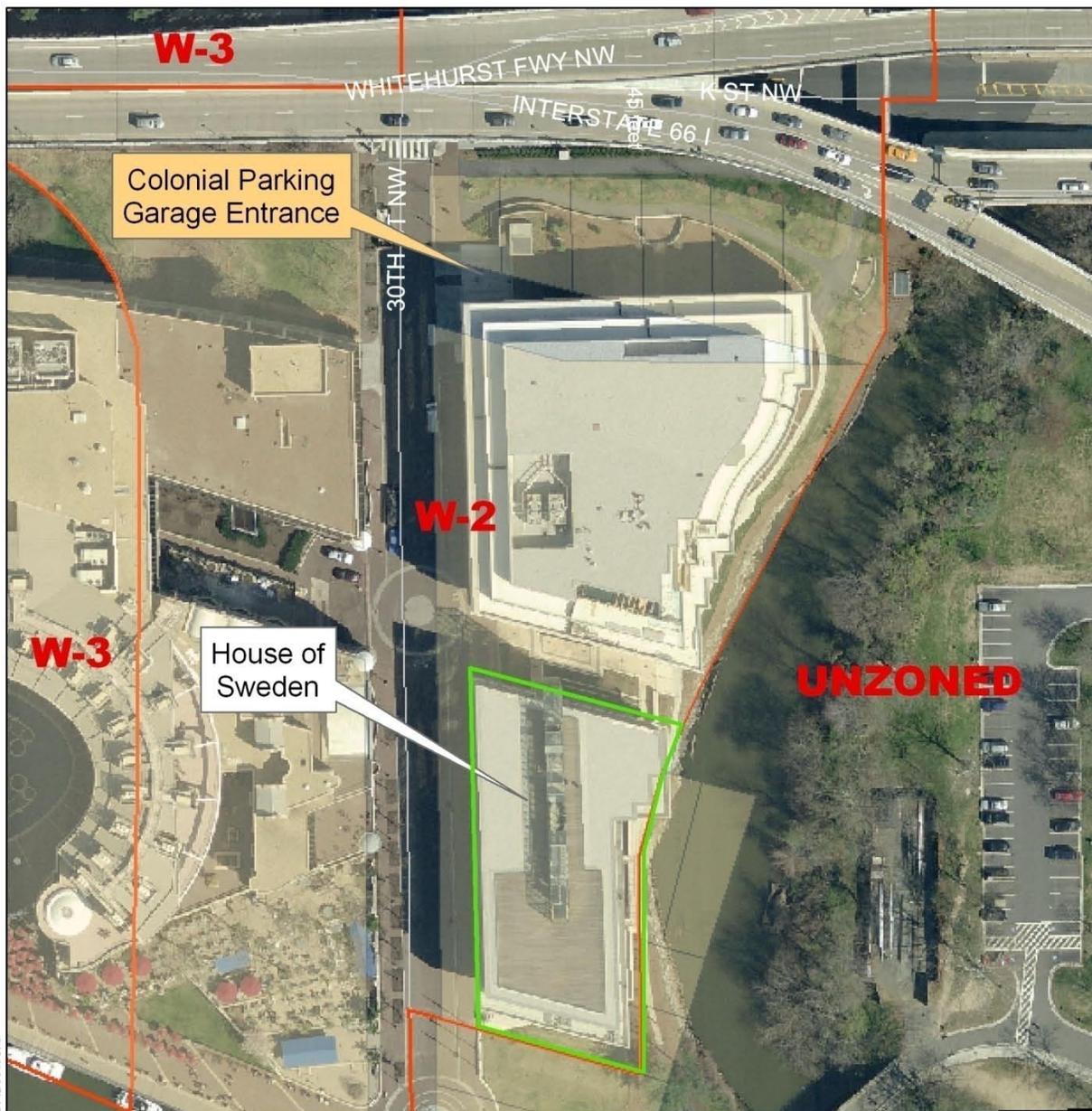
COMMUNITY COMMENTS

Advisory Neighborhood Commission (ANC) 2F considered this application at a public hearing held on August 3, 2010, and adopted a resolution that did not express any objection to this proposal.

Case Manager: Arthur Jackson

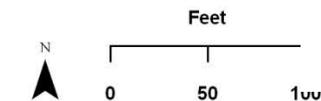
Attachment: Exhibit 1 Aerial Map with Zoning

JS/afj



GPID0017073

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★ ★ ★ Government of the
 District of Columbia
 Adrian M. Fenty, Mayor

Office of Planning ~ December 15, 2008

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LEGEND

- ~ Metro Bus Routes
- ~ Street Centerlines
- Water
- Parks