

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12485 of the Associated General Contractors of America, et al., pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 4101.42 to permit construction of an office building and for a variance from the use provisions (Section 4101) to allow a savings and loan association in that building in the SP District at the premises 1925 E Street, N.W. (Square 122, Lots 800,801,829,830 and 832).

HEARING DATES September 27 and November 16, 1977
DECISION DATE: December 6, 1977

FINDINGS OF FACT:

1. The Board at the public hearing of September 27, 1977 granted permission to the applicant to amend its application. The Applicant withdrew the request for a variance from the use provisions, and added a variance from Paragraph 4201.22 of the Zoning Regulations to permit the erection of a roof structure over 18 feet 6 inches and a waiver pursuant to Paragraph 7614.12 from the arcade provisions to permit an F.A.R. credit for an arcade at street level.
2. The subject property is located on the north side of "E" Street, N.W. between 19th and 20th Streets, N.W. and is in an SP District.
3. The subject site has frontage on 19th, 20th and E Streets, N.W. The total area of Lots 800,801,829,830 and 832 is 30,148.66 square feet.
4. The site is presently improved by the Associated General Contractors of America building on Lot 832. Lots 829 and 830 are used as a parking lot. Lot 800 is occupied by the one story Home Federal Savings and Loan Association building and Lot 801 is improved with a one story liquor store.

5. The applicant proposes a ninety foot, seven story office structure with a roof structure twenty feet, eight inches over the ninety foot height limit. Roof structures eighteen feet six inches are permitted as a matter of right. The structure will be erected around the existing Home Federal Savings and Loan Association building. The facade of the existing structure will be refaced to match the facade of the proposed building. An arcade will be provided on the south, east and west sides of the new structure. The main structure to the building is from E Street and the entrance to the underground parking facility is from 19th Street. The proposed building will be an addition to the existing Home Federal Savings and Loan Association building, so constructed so as to constitute a single structure under the Zoning Regulations.

6. The Associated General Contractors of America (hereinafter referred to as AGC) are the owners of the entire tract. This organization qualifies as a non-profit organization pursuant to Section 1202 of the Zoning Regulations. Tax exempt status has been accorded this organization as is noted by a letter from the Internal Revenue Service dated August 12, 1974, which is part of the record of this case. As a trade association this organization is a permitted occupant of an SP building pursuant to Paragraph 4101.42.

7. The applicant intends to occupy approximately 26,000 square feet of space in the proposed structure with a staff of approximately eighty employees. AGC currently occupies the structure located on Lot 832.

8. The other occupant of the building addition will be the Federal Reserve Board (hereinafter referred to as FRB). This organization is also a non-profit organization pursuant to the Zoning Regulations and, therefore, a valid occupant of SP office space. This determination is based upon Sections 243 and 244 of Title 12 of the U.S. Code. The foregoing ruling has been applied in the issuance of Certificates of Occupancy number B-78180, B-83302, and B-91871.

9. The SP uses to occupy the building include the FRB which intends to occupy the remaining space of the proposed building over a period of time estimated to commence in approximately five years. Space will be leased to other SP uses as permitted under Section 4101.42. Thereafter, FRB intends to located approximately 100 employees in the proposed structure and then add 100 employees per year to that number until all its offices are located within the proposed structure. FRB will have 1,000 employees in the proposed structure when the relocation is completed. The maximum number of employees for the building whether the occupancy is by FRB or another SP use is estimated to be 1100.

10. Home Federal Savings and Loan Association will continue to occupy its present site and building on the northwest corner of 19th and E Street, N.W.

11. The proposed site is surrounded by the following uses: to the north immediately behind the site facing 19th Street is Mitchell Hall, a George Washing University dormitory, approximately eight feet in height; to the north fronting on 20th Street is a parking structure, approximately sixty feet in height; the Life Underwriter's Building and apartments of varying heights; to the south on the opposite site of E Street is the Civil Service Commission. To the east are the offices of the General Services Administration; to the west facing E Street is the Red Cross Building. C-3-B and C-4 Districts are located northeast of the subject site.

12. The major tenant, FRB, uses a staggered employment hours system. Hours of operation will be 8:00 a.m. to 6:00 p.m. with starting times ranging from 8:00 a.m. to 9:30 a.m. with work days ending from 4:30 p.m. to 6:00 p.m. Numbers of employees entering and leaving are evenly spread throughout these time spans. Any other SP uses who occupy the building will operate essentially the same general hours.

13. The proposed plans provide parking for 177 cars initially in a four level underground parking lot in the building. This is in excess of the ninety-two parking spaces required by the Zoning Regulations. The two top levels containing eight-three spaces will be rented as soon as a tenant is available. When office expansion is complete the proposed structure will contain ninety-four parking spaces. Off-street loading spaces will be provided as required by the Zoning Regulations.

14. There was testimony that FRB will utilize at the subject site several programs to cut down on traffic congestion in the area; one is the staggered employment hours, the second, is a car pool system whereby FRB's employees are given priority parking on the number of persons in the car pool. It is estimated by FRB that when full occupancy of the proposed site exists no registered car pools with less than 3 occupants will be able to receive a parking space.

15. The streets surrounding the proposed site are:

- a. E Street, with a fifty-six foot wide roadway operating one-way eastbound, classified as a principal arterial.
- b. F Street, with a thirty-eight foot wide roadway operating one-way eastbound, classified as a local street.
- c. Nineteenth Street, with a forty foot wide roadway operating one-way southbound, classified as a collector street.
- d. Twentieth Street, with a forty foot wide roadway operating one-way northbound, classified as a collector street.

16. The approaches that will carry the proposed project traffic were analyzed by the District of Columbia Department of Transportation and were determined by Department of Transportation in its report dated September 22, 1977, to be operating at level of service A. The Department of Transportation further reported that traffic from the site will not cause a deterioration of the level of service below level A at the intersection of Nineteenth and E, Nineteenth and F, or Twentieth and F. The westbound approach to the intersection at Twentieth and E will drop from level A to level C.

17. The project site is 3,300 feet from the Foggy Bottom Metro Station and 2,500 feet from the Farragut West Metro Station.

18. Metrobus routes serving the site are 80,81,82,84,88, R-2,L-5,P-1 and S-1, operating on F,G, 18th, and 19th Streets.

19. The Department of Transportation reported that approximately 66 percent of the employees in the general area of the proposed site will use public transit for their work trip.

20. Approximately two-thirds of the structure is set back sixteen feet from the property line while the remaining one-third is set back sixteen feet behind the existing building. The composition of the building is largely beige precast concrete and solar tinted glass, supported by ten columns. Planter boxes are proposed in front of the existing building. A planting schedule has not been submitted. All signs will meet the requirements imposed by the Zoning Regulations.

21. Ceiling to ceiling height in the proposed building is twelve feet which is two feet higher than that of the standard office building.

22. The applicant's architect testified that it would impose practical difficulties upon the applicant and result in a hardship in operation to restrict the roof structure of this building to a height of less than eighteen feet six inches. The following reasons were put forth in support of this statement:

a. The presence of rock underneath the building site prohibits the installation of a hydraulic elevator due to excessive drilling costs.

b. An electric elevator must be used in the proposed structure with its operational equipment located in the roof structure.

c. The building is monumental in design with a floor-to-floor height of approximately twelve feet, which requires a larger elevator in order to be architecturally in scale with the proposed building.

d. In order to properly service the proposed building, the elevator must be able to go to a level even with the roof.

23. The proposed arcade provides efficient and excellent pedestrain access to and from the street frontages and further the intent and spirit of the arcade provisions of Section 7614.1.

24. The Department of Transportation , in its aforementioned report dated September 22, 1977, found that the traffic generated by the subject project will not significantly affect the efficiency of the adjacent street system and that this development will not required expenditure of District funds for capital transportation improvements.

25. The Municipal Planning Office, by report dated September 22, 1977, recommended that the application be approved, except for the excess parking requested.

26. Opposition was raised at the public hearing by a neighborhood citizen, the West End Citizens Association and by an ANC-2A Commissioner appearing as an individual citizen, on the grounds that the proposed building was not in character with the surrounding neighborhood, that construction of apartment building and residences should be encouraged in the SP District, and that the SP as a buffer zone is favoring offices over residences so that the residential character of the neighborhood is greatly diminishing.

27. Advisory Neighborhood Commission 2A filed no report on this application.

CONCLUSIONS OF LAW:

Based upon the above Findings of Fact, the Board is of the opinion that the proposed office uses as permitted in the Special Purpose District will be in harmony with the existing uses on both neighboring and adjacent properties. The Board also finds that the use will not create dangerous or other objectionable traffic conditions. The testimony and Department of Transportation report established that the increase in traffic would be adequately handled by the capacity of the surrounding street system and that this site is well served by Metro and public bus transportation.

Also, the Board concludes that all the proposed uses are SP uses permitted in the proposed building pursuant to Section 4101.42.

The Board concludes that the requested variance is an area variance, the granting of which requires the showing of a practical practical difficulty. The Board concludes that the characteristic of the property and the design of the building create such a difficulty and roof structure will be designed and constructed so as to harmonize with the main structure in architectural character, material and color.

The Board concludes that the provisions of 7614.1 can be waived pursuant to 7614.12 to permit an F.A.R. credit for a street level arcade as the proposed arcade will encourage a building design which will provide more pedestrian convenience and will result in a greater open area adjacent to the public streets.

The Board further notes that the existing SP District encourages office use in the periphery of the C-4 zone, which in this instance is two hundred feet to the north.

For the above reasons, it is ORDERED that the application is GRANTED.

VOTE: 4-0:: (Chloethiel Woodard Smith, Charles R. Norris, William F. McIntosh and Leonard L. McCants, Ruby B. McZier not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 30 DEC 1977

THAT THE ORDER OF THE BOARD IS VAILD FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.