

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 14289, as amended, of 300 I Street, N.E. Associates Limited Partnership, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the parking requirements (Sub-section 7202.1) to convert an existing warehouse structure to office use in a C-M-1 District at premises 300 I Street, N.E., (Square 775, Lots 3 and 4).

HEARING DATE: May 15, 1985  
DECISION DATE: May 15, 1985 (Bench Decision)

FINDINGS OF FACT:

1. The applicant had modified the architectural plans to provide the required bicycle parking spaces in compliance with Sub-section 7208.1. At the public hearing, the applicant withdrew its request for the second area of relief that was originally advertised.
2. The subject site is located at the northeast corner of the intersection of 3rd and I Streets, N.E., and is known as premises 300 I Street. It is zoned C-M-1. The site is improved with a two and four story masonry structure with cellar that has been vacant approximately fifteen to twenty years.
3. The building was constructed in 1927, prior to the adoption of the parking requirements. No parking spaces are provided. The subject site has a lot area of 16,630 square feet and the structure covers 100 percent of the lot area.
4. The permitted floor area ratio (FAR) in the C-M-1 District is 3.0. An FAR of 2.36 is provided in the existing structure. No new structure is proposed.
5. The most recent certificate of occupancy reveals that the structure was last used for office and warehouse use. The applicant proposes to renovate the structure and devote it to office use.
6. Sub-section 7202.1 of the Zoning Regulations requires one parking space for every 800 square feet of gross floor area and cellar area in excess of the first 2,000 square feet for an office structure in a C-M-1 District. Accordingly, forty-seven parking spaces are required. The subject site has a sixteen space credit from

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the previous use. The applicant must now provide thirty-one spaces on-site. The applicant seeks variance relief from the parking requirements.

7. Adverse ownership of adjacent properties prevents the applicant from increasing the lot size. The applicant is not physically able to provide parking unless a substantial portion of the structure is demolished.

8. Since only portions of the building have been excavated to provide cellar space, major excavation work and underpinning would be required in order to provide any parking in the cellar area.

9. The neighborhood surrounding the subject site is characterized as a mixed commercial, industrial and residential use area but has numerous vacant structures. The C-M-1 District extends north, south, east and west of the subject site. An R-4 District extends to the northeast.

10. The proposed project is designed to provide an adaptive reuse of a long vacant structure and generate additional economic development and growth in the neighborhood.

11. The applicant had renovated an adjacent building at 220 I Street, N.E., in a manner similar to that of the proposed project. The proposed office building will house between 100 and 120 office workers.

12. The office hours will be from 8:00 A.M. through 5:00 P.M., Monday through Friday.

13. Parking for bicycles will be provided inside of the building.

14. The requested variance relief will have no adverse impact since the required parking will be met by the availability of parking in the immediate neighborhood. A parking survey made of the neighborhood by the applicant's traffic and transportation consultant evidences that there are three parking lots available to the public providing approximately 400 off-street parking spaces. All of the lots have monthly spaces available. On-street spaces are also available. Both I Street and 3rd Street have unrestricted curb parking.

15. The traffic consultant further testified that an analysis was conducted for the applicant which concluded that the additional traffic generated by the site will not affect peak hour operating conditions for adjacent streets. These streets currently operate at A and B service levels and will continue to operate at those levels even with the proposed renovation project.

16. Metrobus service is available in all directions within one block of the subject site. Metrorail service is available at Union Station which is a ten minute walk from the subject site.

17. Advisory Neighborhood Commission 2C, by letter dated May 7, 1985, supported the application for a parking variance. The ANC reported that it voted to support the adapted reuse of the building because of the positive benefits that will result for the community and the city. These benefits include a greatly improved appearance for the neighborhood, increased jobs and tax revenues, and a major step in the continued economic development of the neighborhood and the H Street corridor. Since there is ample off street parking available in the surrounding area, the ANC was of the opinion that the requested variance would have no negative impact on the community. The Board concurs with the findings and recommendation of ANC 2C.

18. The Office of Business and Economic Development, by memorandum dated May 8, 1985, supported the requested variance. The memorandum stated that the office supported the variance because the area is of critical importance to the District's economic development plans. Projects such as the proposal provide a source of stability in a community and provide a major impetus for further development in the H Street corridor. The addition of up to 120 office workers and the associated increase in property, income and other taxes provide a major change to the District and the value of this presently vacant warehouse.

19. A petition in support of the application signed by over sixty residents of the surrounding neighborhood was filed in the record of the case. No grounds for the support were given.

20. Councilmembers John A. Wilson, Nadine P. Winter and Betty Ann Kane and the Capital Children's Museum, located at 800 3rd Street, N.E., all submitted to the record letters in support of this variance request. The letters noted the availability of off-street parking spaces in the area and the accessibility of public transportation to the site. The letters also stated that the proposed office use would continue the revitalization process of the H Street, N.E., corridor and stabilize the neighborhood.

21. No one appeared at the public hearing in opposition to the application. There was also no opposition of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the record, the Board concludes that the applicant is seeking an area variance, the granting of which

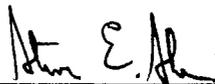
requires a showing through substantial evidence of a practical difficulty upon the owner arising out of some unique or exceptional condition of the property such as exceptional narrowness, shallowness, shape or topographical conditions. The Board further must find that the application will not be of substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan. The Board concludes that the applicant has met its burden of proof. The practical difficulty is inherent in the site because of the existing structure's one hundred percent occupancy of the site which makes provisions for off-street parking infeasible. The Board notes the approval of the ANC and the lack of opposition.

The Board further concludes that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan. The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled by statute. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (William F. McIntosh, Maybelle T. Bennett and Carrie L. Thornhill to grant; Charles R. Norris and Douglas J. Patton not present, not voting).

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

ATTESTED BY:

  
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STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER:

29 JUL 1985

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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