

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**



September 6, 2016

Meridith H. Moldenhauer  
Griffin, Murphy, Moldenhauer & Wiggins, LLP  
1912 Sunderland Place, NW  
Washington DC, 20036

**Re: 1250 Taylor Street NW- Square 2908, Lots 835 and 840 (the “Property”)**

Dear Ms. Moldenhauer,

This letter is in reference to a PDRM you and your client attended at my office on June 21, 2016, regarding your client’s intended development at the Property referenced above. I would like to memorialize the discussion with my staff regarding your client’s proposed redevelopment of the Property.

The Property is located in the C-M-1 District and is located in Square 2908. At present, the Property is currently used institutionally and leased to the Bridges Public Charter School. The surrounding uses on Taylor Street are similarly, low-density commercial/institutional structures, including the National Library Services for the Blind and Physically Handicapped building at 1291 Taylor Street NW. The Property backs up to an alley, and the uses to the south across the alley are R-4 row dwellings that front on Shepard Street NW. In summary, at the June 21<sup>st</sup> PDRM, I affirmed the following:

**Description of Proposed Project and Subdivision**

As represented in the attached architectural plans, the proposed project will demolish the existing building and adjacent parking lot and build a new self-storage establishment, a use permitted as a matter of right in the C-M-1 industrial zone. *See*, 11 DMCR §801.7.

**The Proposed Storage Establishment Complies with Zoning Regulations**

**Lot Dimensions**

*Lot Area*

Pursuant to 11 DCMR §700, *et seq.*, there is no minimum lot area for structures in the C-M-1 zone. The existing lot is 22,830 square feet. The proposed conversion of the structure to a storage establishment will not have any impact on the existing lot dimensions.

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### Floor Area Ratio (F.A.R)

Section 841.1 requires that buildings in the C-M-1 District have a maximum F.A.R of 3.0. The proposed structure will have an F.A.R of 2.79 and thus, complies with this requirement.

### Height

The C-M-1 District permits a maximum height of 40 feet and a maximum of three stories. In the C-M-1 zone where the height is limited to 40 feet, building height is measured from the “finished grade level at the middle of the front of the building to the ceiling of the top story.” §199.1. The proposed structure will have three stories, and measured from the mid-point of front of the building on Taylor Street to the ceiling of the third story will have a height of 39 feet-11 inches. Although the plans show certain items atop the structure that are above 40 feet, such as a parapet, green roof, roof mechanical equipment, and a stair shaft, those items are not considered in the calculation of maximum height of a building in the C-M-1 zone. Accordingly, the proposed project comports with the height requirement for the C-M-1 zone.

### Mezzanine

The proposed project will have a mezzanine of not more than 1/3 of the area of the first story of the building, as the calculations in the attached architectural plans show. Under §199.1, a mezzanine is defined as “a floor space within a story between its floor and the floor or roof next above it and having an area of not more than one-third (1/3) of the area of the floor immediately below.”

A mezzanine is not considered as story for the purposes of determining the maximum number of permitted stories, except for in R-4 zones. The mezzanine of the building will not be considered as a story for purposes of the building’s height, and thus, is compliant with the C-M-1 zone requirements.

### Front Yard

Pursuant to 11 DCMR §800, *et seq.*, structures in the C-M-1 have no front yard requirement. The current front setback is 0 feet, and the proposed project will not affect the current front yard.

### Rear Yard

Under 11 DCMR §842.4, the minimum depth of a rear yard in the C-M-1 District must be 2.5 inches per foot of “vertical distance from the mean finished grade at the middle of the rear of the structure to the highest point of the main roof or parapet wall, but not less than 12 feet.” The attached plans show that the proposed structure will have a rear yard of 12 feet-10 inches. Consequently, the proposed project complies with the rear yard requirement.

### Side Yard

According to §843.1, no side yard is required in the C-M-1 zone, except where a side lot line of the lot abuts a residential district. Thus, no side yard is required on to the east of the building, as there is an adjacent (nonresidential) structure. When a side lot line of a C-M-1 lot abuts a residential district, a side yard with a minimum width of three inches per foot of the building’s height, but not less than 8 feet is required. See, 11 DCMR §843.2. The

attached plans show that the proposed structure will have a side yard on the public alley/western side of the lot of 11 feet-10.5 inches. Consequently, the proposed project complies with the side yard requirements.

### Vehicle and Bicycle Parking

Section 2101.1 requires a warehouse in the C-M-1 District to provide one parking space per 3,000 square feet of ground floor area. In the C-M-1 zone, square footage located in the cellar does not contribute to the parking requirement. Additionally, parking spaces must be nine feet wide and 19 feet long. As shown in the attached architectural plans, the proposed project will provide 22, nine by 19 feet, parking spaces.

Where required parking spaces are so arranged that a two-way drive aisle is necessary for accessibility and maneuvering, the aisle must have a clear width of not less than 20 feet for 90-degree angle parking, measured from the center line of the aisle. §2117.5. The attached plans display 90-degree angle parking and a two-way drive aisle with a clear width of 34 feet-8 inches, measured from the center line of the aisle.

Additionally, a roll-down door at the eastern end of the parking area will secure vehicle spaces numbered 12-22. The secured parking shall comply with all necessary zoning regulations. The applicant, further, wishes to secure the option to provide additional vehicle parking spaces, in excess of the required minimum, at the rear of the building along the public alley with the spaces arranged in parallel fashion.

As to bicycle parking spaces under §2119.2, bicycle spaces must represent 5% of the number of vehicle spaces provided. The proposed project will provide two bicycle parking spaces, as calculated in the attached architectural plans. Accordingly, the parking provided by the project will comply with the C-M-1 zone requirements.

### Loading

Section 2201.6 provides that loading berths in the C-M-1 zone shall be a minimum of 12 feet wide and have a minimum vertical clearance of 14 feet. The attached plans show that the structure will have a loading berth that is 12 feet wide with a vertical clearance 17 feet high. The proposed project, therefore, satisfies the loading requirements for the C-M-1 District.

### Vesting Under ZR-58

Under the 2016 Zoning regulations (“ZR-16”), an application for a building permit with accompanying building plans that are consistent with the 1958 Zoning Regulations (“ZR-58”) that is accepted as being complete prior to the effective date of the new regulations, September 6, 2016, can vest under ZR-58. *See*, ZR-16, Subtitle A, §102.2. Your client filed building permit application #B1612579 with plans in accordance with ZR-16 Subtitle A, §102.2, and to use a third party reviewer. On September 1, 2016, I confirmed that you are vested under ZR-58 on September 4, 2016.

## Conclusion

Based on the attached plans, I find that the proposed redevelopment of the Property complies with the C-M-1 District requirements, and is permitted as a matter-of-right. I also find that seeking third party review of the plans will not impair the application process if the conditions outlined above are satisfied. Accordingly, when you file the plans for a subdivision and building permit, I will approve drawings that are consistent with the plans attached to this letter. Please let me know if you have any further questions.

Sincerely,



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Matthew LeGrant  
Zoning Administrator

### Attachments:

- 1) Preliminary Architectural Plans
- 2) Preliminary Elevations