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

November 9, 2015

Mr. Paul Tummonds
Goulston & Storrs
1999 K Street, NW- 5th Floor
Washington, DC 20006

RE: Proposed Development of the Stevens School and Humane Society of the United States Properties (Lots 858 and 876 in Square 73)

Dear Mr. Tummonds:

This letter addresses and confirms the issues that were discussed in our meeting regarding the proposed development of the property located at 1050 21st Street, NW and 2100 L Street, NW (the "**Property**"). The Property is located in the C-3-C Zone District and the New Downtown TDR Receiving Zone (pursuant to Section 1709.16 of the Zoning Regulations). The Property is a corner lot that has frontage on 21st Street, NW, and L Street, NW. The Property includes the former Stevens School Building (which is a historic landmark) and playground, and the headquarters office building of the Humane Society of the United States.

It is my understanding that the Stevens School building will be renovated and will be used as a private school serving special needs students, and the site of the former Stevens School playground and the Humane Society of the United States office building will be developed with new office building that will be an addition to the Stevens School Building (the "**Project**"). It is also my understanding that the Historic Preservation Review Board ("**HPRB**") has reviewed and granted conceptual design review approval for the proposed renovation of the Stevens School Building and the new office building addition, as shown in the plans attached as Exhibit A. The private school and office uses noted in this paragraph are permitted as a matter-of-right in the C-3-C Zone District and a 110 foot tall building with a FAR of up to 9.0 is permitted, through the TDR process, pursuant to Section 1709.21 of the Zoning Regulations.

Sufficiency of Proposed Connection Between Portions of the Building

As shown on the plan attached as Exhibit B, a meaningful connection between the former Stevens School Building and the new office building addition is provided at the rear of the Stevens School Building. It is my understanding that this fully conditioned and enclosed space is used as a service corridor that will provide access to the loading docks serving the entire project. As described, this connection is sufficient to consider the Project as a single building for zoning purposes pursuant to the definition of "Building" as set forth in Section 199.1 of the Zoning Regulations.

Sufficiency of Irregularly Shaped Closed Court

The plan attached as Exhibit B also depicts a large irregularly shaped, non-rectangular court along the 21st Street frontage of the Project. It is my understanding that this irregularly shaped, non-rectangular court was created in response to comments received during the HPRB process which required a separation of the new office building addition from the existing Stevens School Building. In the C-3-C Zone District, pursuant to Section 776, a court provided for a building devoted to non-residential uses must have a minimum width of 3 inches per foot of court height. The width of a non-rectangular court is determined by inscribing the diameter of the largest circle that may be inscribed in a horizontal plane within the court. In addition, a closed court for a building devoted to nonresidential uses must have a minimum area of twice the width of the court based on the height of the court.

In this case, the minimum width of the court must be 27.5 feet (3 inches X 110 feet = 27.5 feet). As shown in the attached plan, the width of this court is 33.5 feet, so the court satisfies the minimum width requirements. In addition, the area of the proposed irregularly shaped, non-rectangular court is 2,833 square feet, which exceeds the minimum area requirement of 2,244.5 square feet (33.5 X 33.5 = 1,122.25 X 2 = 2,244.5). For these reasons, I determine that the proposed irregularly shaped, non-rectangular court satisfies the requirements of Section 776 of the Zoning Regulations.

Court Provided In Lieu of a Rear Yard

Section 774.9(c) of the Zoning Regulations states:

> In the case of a corner lot, a court complying with the width requirements for a closed court as specified in §776 may be provided in lieu of a rear yard. For the purpose of this section, the required court shall be provided above a horizontal plane beginning not more than twenty feet (20 ft.) above the curb grade opposite the front of the building, and the width of the court shall be computed for the entire height of the court.

As noted above, the 33.5 foot wide court provided in the Project satisfies the width requirements for a court that is deemed to be 110 feet tall. The proposed court satisfies the requirements of Section 774.9(c), whether the requirement is based on a 90 foot tall court or a 110 foot tall court. Therefore, I find that the Project satisfies the rear yard requirements in the C-3-C Zone District.

Sincerely,

Matthew Le Grant
Zoning Administrator

Attachments- A - Plan Set
B - Illustration of building connection and court compliance

File: Det Let re 1050 21st St NW Steven School to Tummonds 11-9-15