

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



December 17, 2012

Norman M. Glasgow, Jr.
Holland & Knight LLP
800 17th ST NW- Suite 1100
Washington, D.C. 20006

Re: West Heating Plant - 1051 29th Street, N.W.

Dear Mr. Glasgow:

This is to confirm the substance of our discussion on Wednesday, October 17, 2012, concerning the potential redevelopment of the above-referenced property, also known as the Georgetown Heating Plant. The property is located south of the C&O Canal between 29th Street, K Street and Rock Creek. The property is currently owned by the U.S. General Services Administration and is therefore not presently subject to the D.C. Zoning Regulations.

The existing building has a height of approximately 110 feet. The existing building has a footprint of approximately 21,625 square feet. At seven stories, this would translate into approximately 151,000 square feet of floor area. These numbers are approximate, and the exact amount of square footage that would count against gross floor area would be subject to more precise determination. The area of the site is approximately 2.08 acres, or approximately 90,600 square feet.

The existing zoning of the area to the west and north is W-2. The W-2 District permits a maximum FAR of 4.0, of which no more than 2.0 may be for other than residential purposes. The maximum permitted height in a W-2 District is 60 feet.

If the Zoning Commission determined to place the property in the W-2 zone classification, the existing building would be nonconforming as to height. Given that the W-2 zone's 4.0 maximum FAR is permitted, this would yield a permitted gross floor area of approximately 362,400 square feet; therefore, there would be a substantial amount of gross floor area available for additional construction.

We have assumed that the future use of the building would be for apartments, a hotel or other uses that are permitted as a matter-of-right in the W-2 District. Pursuant to §2001.3 of the Regulations, an enlargement or addition may be made to a nonconforming structure devoted to a conforming use, provided that

- (a) The structure shall conform to percentage of lot occupancy requirements; and
- (b) The addition or enlargement itself shall:

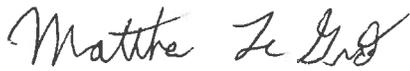
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- (1) Conform to use and structure requirements; and
- (2) Neither increase or extend any existing, nonconforming aspect of the structure; nor create any new nonconformity of structure and addition combined.

Assuming that the building complies with the lot occupancy requirements (75% for a residential building in a W-2 District, per §932.1) and assuming that any addition would be internal to the building within the existing shell and would therefore not increase or extend any nonconforming aspect of the building, then additional floor area could be added to the building up the maximum permitted FAR of 4.0.

Please let me know if I may be of further assistance.

Sincerely, 
Matthew Le Grant
Zoning Administrator