



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Matt Jesick, Case Manager
Joel Lawson, Associate Director Development Review

DATE: April 29, 2014

SUBJECT: BZA #18744 – 15 Dupont Circle, NW

I. RECOMMENDATION

With regard to this proposal to construct an apartment building, the Office of Planning (OP) recommends **approval** of the following relief:

Variance:

- § 563 Court Width (Southeast court – 23’3” required, 6’ proposed; South court – 15’ required, 14 proposed);
- § 2100.10(a) Maintenance of Existing Spaces (proposal to remove existing parking);

Special Exception:

- § 2120.6 Parking (23 spaces required, zero proposed);
- § 411.11 Roof Structures (1-to-1 setback and equal wall heights required; less than 1-to-1 setbacks and unequal wall heights proposed).

II. LOCATION AND SITE DESCRIPTION

Address	15 Dupont Circle, NW
Legal Description	Square 136, Lot 34
Ward and ANC	2, 2B
Zoning	DC / SP-1
Lot Characteristics	Flat property
Existing Development	Historic mansion, the Patterson House, built in 1903, to remain on western portion of the lot; Addition from 1956 on east side of the lot to be removed.
Historic District	Dupont Circle and Massachusetts Avenue Historic Districts; Patterson House is a designated landmark
Adjacent Properties	North – 9 story, 90’ office building South – Sulgrave Club (Wadsworth House) East – Iraqi Chancery (Boardman House) West – Dupont Circle
Surrounding Neighborhood Character	Mix of all types of buildings, from rowhouses to office buildings



III. APPLICATION IN BRIEF

The applicant proposes construction of an addition to the historic Patterson House, or mansion. The mansion and addition together would be used as a multi-family dwelling. The new addition would be constructed on the site of the existing 1956 addition to the house, which would be demolished. The entire building would have a total of 92 dwelling units, a lobby and associated spaces, communal living areas, a bicycle storage room, and a central courtyard between the mansion and the addition. Primary access points would be from the original mansion entrance on Dupont Circle and a new entrance on P Street. An entrance providing access to the basement – primarily the bicycle storage area – would be located further to the north along Dupont Circle. No parking would be constructed with the building. Loading is not required for an addition to an historic structure.

IV. ZONING REQUIREMENTS AND REQUESTED RELIEF

DC / SP-1	Regulation	Existing	Proposed	Relief
Lot Area (sf)	n/a	13,853 sf	No change	n/a
Height (ft.) §§ 530 and 2604	70 ft.	57.7'	69.5	Conforming
Floor Area Ratio § 531 and 2604	4.8 (66,494 sf)	1.5 (20,825 sf)	3.9 (54,404 sf)	Conforming
Lot Occupancy § 532	80% (11,082 sf)	Not provided	76% (9,008 sf)	Conforming
Rear Yard (ft.) § 534.4 (closed court)	<u>Width</u> 4" / ft. of height; 15' min. <u>Area</u> 2*(width^2); 350 sf min.	n/a	<u>Width</u> "Court 1" 25' <u>Area</u> Not provided (est. 775 sf)	Conforming
Side Yard (ft.) § 535	None required	None	None	Conforming
Court Width (ft.) § 536	4" / ft. of height; 15' min. South Court – 15' Southeast Court – 23'3"	n/a	South Court – 14' Southeast Court – 6'	Requested
Rooftop Structures § 537	1 to 1 setback; equal heights	None	Less than 1-to-1 setback; two heights for enclosing walls	Requested
Parking § 2100.10(a)	Cannot reduce existing parking below what is req'd.	Not provided, but at least one space	0	Requested
Parking § 2101	1 space per 4 units (92 units = 23 spaces)	Not provided	0	Requested

V. ANALYSIS

Variance Analysis

The design would require variances from court width and the removal of existing parking spaces. In order to be granted a variance, the applicant must show that they meet the three part test described in § 3103.

- 1. Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?**

The property exhibits exceptional conditions. The site contains a landmarked building which cannot be demolished or moved. The remaining portion of the property that is available for development is relatively narrow and long. The adjacent property is also the site of a landmarked building, and any new construction must be viewed in the entire context of its historic surroundings. In addition, the existing driveway and parking area on the eastern side of the property is narrow and does not provide an efficient area for access parking.

- 2. Does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?**

Court Width

The exceptional conditions create a practical difficulty for the applicant in regard to court width. The residue portion of the lot is relatively narrow, so any building constructed there would necessarily have a limited east-west dimension. That dimension, however, is further reduced by the presence of adjacent historic structures. Historic preservation guidelines stipulate that new construction should be set back from landmarked buildings, including the mansion on the subject property and the mansion on the adjacent property. The resulting design includes setbacks that take the form of courts which open onto P Street and visually separate the new construction from its historic neighbors. The Historic Preservation Review Board (HPRB) has given conceptual approval to the design, including the courts. If the courts were made wider, the new building could have an awkward relationship to the street, with only a small appendage protruding from the bulk of the building. The current design maintains the streetwall while respecting guidelines for historic preservation.

Removal of Existing Parking

The presence of the narrow parking aisle and paved area at the east end of the site creates a practical difficulty for the applicant. At 10 feet wide, the aisle is not wide enough to meet the requirements for two-way traffic. According to the applicant, the existing user of the building uses the space for valet parking, since valets can arrange cars in the narrow confines. Given the dimensional constraints of the area a non-valet operation might not be practical for everyday

users. Removal of the existing paved areas would allow a more efficient use of the site for the new addition.

3. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?

Court Width

Relief to court width can be granted without detriment to the public good or the Zoning Regulations. The south court would be only one foot less than its required width of 15 feet, so the reduction would be barely noticeable. The southeast court is proposed for a more substantial reduction in width, and could cause some additional afternoon shadow on the building next door when compared to a conforming court. But it would not totally obscure the light available to that property, and if not for that property's historic status, a building without any setback could be built directly on the property line. The courts help to achieve the historic preservation goals of the city, and the overall building design maintains a streetwall along P Street.

Removal of Existing Parking

Removal of the existing parking would not be a detriment to the public or to the intent of the Zoning Regulations. Removal of the curb cut would enhance the pedestrian and vehicular environment along P Street. The parking area, according to the application, is presently used for special events – events that would not occur with the new multi-family use. Even so, the amount of parking on the site, though not quantified, is minimal, and the net increase in the number of cars parking elsewhere would likewise be minimal. There are a number of parking garage options in the area, and the applicant has committed to a rigorous TDM program. The Zoning Regulations intend to provide adequate parking while recognizing that other modes of travel and walkable neighborhoods can also impact the need for parking on a given site and help make a more livable city. Granting the requested relief would be consistent with those goals.

Special Exception Analyses

Rooftop Structures

The proposed rooftop mechanical space would have two heights of enclosing walls: 11'6" and 7'6". The mechanical penthouse also would not be set back at a one-to-one ratio. On the west the setback would be 5'7" and on the east, next to the elevator overrun, the setback would be 6'. In order to construct as proposed, the applicant must seek relief, which the Board may grant pursuant to § 411.11. Section 411.11 lists the following criteria:

1. Meeting the requirement would be impracticable because of operating difficulties, size of building lot, or other conditions relating to the building or

surrounding area that would tend to make full compliance unduly restrictive, prohibitively costly or unreasonable.

As noted above, the buildable area of the lot is relatively narrow, and the resulting building footprint of the addition is also narrow. Accommodating mechanical equipment on the roof would use more area than can be housed in the space dictated by a one-to-one rooftop-structure setback. The east-west dimension of the main bar of the addition is only about 38 feet, so mechanical equipment is proposed to encroach into the setback area. Furthermore, locating HVAC equipment on the historic part of the building would likely not be permitted, so an additional portion of the mechanical apparatus must be accommodated on the roof of the new structure. In regard to the multiple heights of enclosing walls, the design intends to minimize the bulk of the rooftop structures where possible, so to lessen their visibility from surrounding locations.

- 2. The intent and purpose of this chapter and this title shall not be materially impaired by the structure, and the light and air of adjacent buildings shall not be affected adversely.**

The intent of the regulations is to minimize the visibility of rooftop structures. The multiple heights of enclosing walls would achieve that by reducing the bulk of the mechanical penthouse to the minimum possible volume. The rooftop structure setbacks are the smallest on the interior courtyard side of the building, so would not impact any neighbors to the east or south. Neighbors in the office building to the north could see the reduced setback, but it should have no actual impact on them. The only setback relief on the east side of the roof would be at the elevator overrun; the rest of the rooftop structure on that side far exceeds the required setback. Therefore, there would be no impact to the light or air available to the property to the east. The top story of the new building would be set back considerably from the P Street frontage, and the rooftop structure would be setback even further. There would be no impacts to properties to the south.

Parking

The application proposes zero parking spaces where 23 are required. Pursuant to § 2120.6, the Board may grant special except relief to reduce the requirement, subject to the following criteria:

§ 2120.6 ...as a result of the nature or location of the historic resource, providing the required parking will result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource.

The presence of the historic mansion leaves a relatively narrow portion of the lot on which to build, and providing ramps to underground parking would be difficult in that space. Parking could theoretically be placed under the mansion but the underpinning would be difficult and could damage the historic landmark. Furthermore, any solution that would shift the bulk of the addition closer to the mansion, such as providing surface parking, would compromise the historic

preservation guidelines that encourage new construction to be set back from the historic properties. It is also uncertain whether the applicant would be permitted to construct a new curb cut for parking to the new construction.

§ 2120.6(a) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

The application proposes 92 units, all of which will be studios, likely limiting the occupancy of any unit to one person. Residents could of course have visitors, and according to the application there will be a small staff on site at any given time.

§ 2120.6(b) Amount of traffic congestion existing and/or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;

According to the applicant's traffic study, only 10% of the trips to the and from the building would be by automobile. This means that during rush hours, the new use would add only 5 AM auto trips and 6 PM auto trips, which is a negligible change to the surrounding street network. Providing extensive parking would logically exacerbate traffic congestion.

§ 2120.6(c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and

According to the applicant's traffic study, there are 15 parking garages within a quarter mile of the subject site. At the latest count there were 70 parking spaces for lease in those garages.

§ 2120.6(d) Proximity to public transportation, particularly Metrorail stations, and availability of either public transportation service in the area, or a ride sharing program approved by the District of Columbia Department of Transportation.

The site is in a very transit-dense area. The Dupont Circle metro station is nearby, as are several bus lines, including a stop immediately in front of the building. Bike share is also available in the neighborhood, and the site is extremely walkable. Furthermore, the applicant has committed to a robust TDM program in order to encourage non-auto modes of transportation. The TDM program would include:

- A staff member designated as the transportation management coordinator;
- Prohibition on RPP;
- Information on the building's website about transportation options;
- Transit information screen in the building;
- Bike parking and repair facilities on-site; Easy bike access; Bike helmets for residents;
- Bikeshare memberships for new residents for the first five years the building is open;
- Carshare memberships for new residents for the first five years the building is open.

The applicant has proposed these items as conditions of approval. Please refer to Tab H in the applicant's most recent submittal.

VI. HISTORIC PRESERVATION

The subject property is an individual landmark and is located in both the Dupont Circle and Massachusetts Avenue historic districts. The 1956 addition is not considered to contribute to the landmark. The design of the new addition has received conceptual approval from the HPRB.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

OP is not aware of written comments from any other District agency at this time.

VIII. COMMUNITY COMMENTS

OP is in receipt of the ANC letter which states that at its regular meeting on March 12, 2014, the ANC voted to support the application. OP has received no other communications regarding the application from the community.