

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: September 30, 2014

SUBJECT: BZA Case 18828, 3 Dupont Circle NW; variance from the floor area ratio requirement under subsection 771.2, to allow an addition to an existing building in order to relocate and enclose existing bank ATMs into a secure 24-hour vestibule.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following variance relief:

- § 771.2 Floor Area Ratio (6.5 FAR required, 6.5 FAR existing, 6.505 FAR proposed).

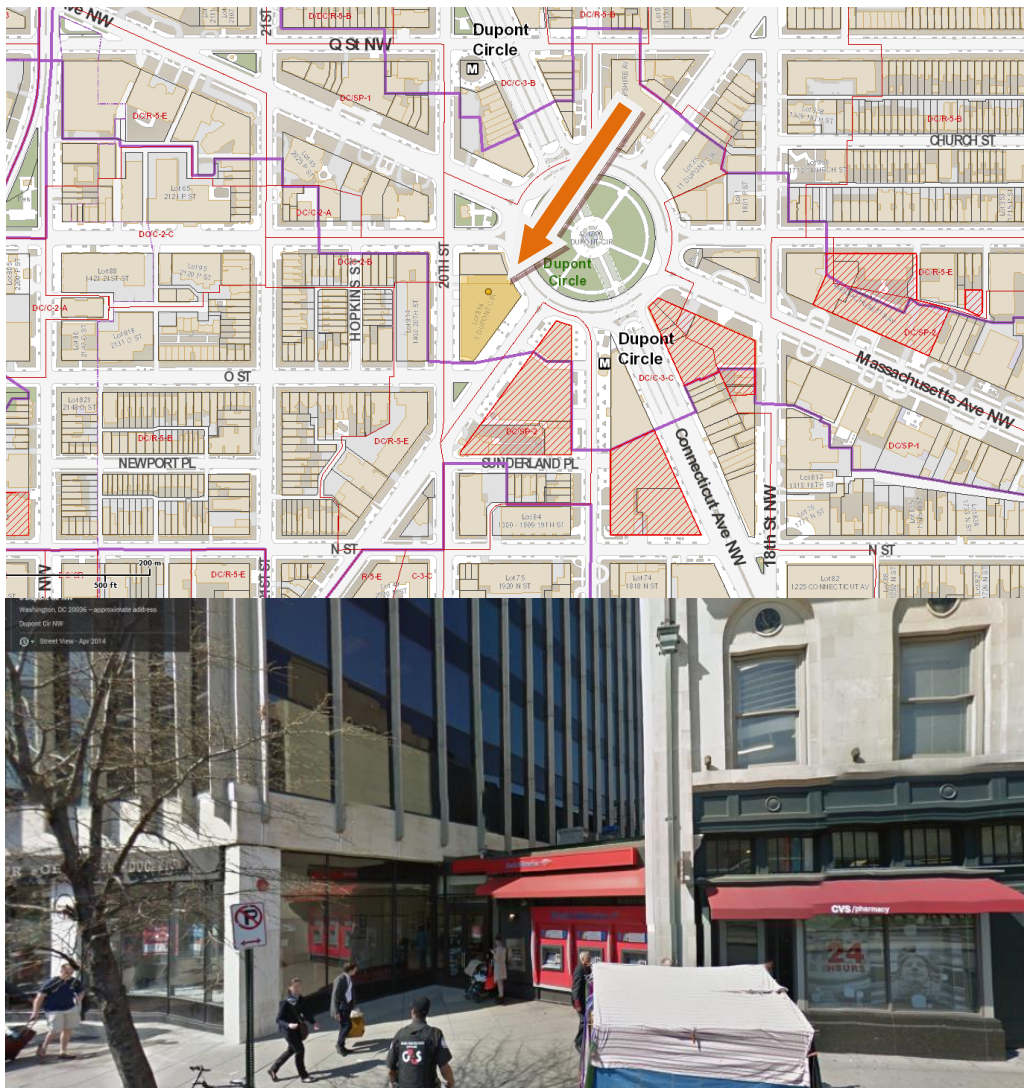
II. LOCATION AND SITE DESCRIPTION

Address	3 Dupont Circle NW (the “Subject Property”)
Applicant	Bank of America, N.A. (the “Applicant”)
Legal Description	Square 114, Lot 816
Ward	2
Lot Characteristics	The lot is an irregularly shaped trapezoid, fronting on Dupont Circle NW. 20 th Street NW is located to the east, P Street NW is located to the north, and New Hampshire Avenue NW is located to the southeast.
Zoning	DC: the Dupont Circle Overlay was established to preserve and enhance the unique low scale, predominately residential and historic character, and independent small retail businesses of Dupont Circle C-3-C: High Bulk Major Business & Employment
Existing Development	Commercial eight-story office building with ground floor retail space, permitted in this zone. The 182,541 square foot building was constructed pursuant to BZA Order No. 9431, issued on November 22, 1967. The existing building was constructed to the maximum permitted FAR. The building is a non-contributing structure within the Dupont Circle Historic District.
Historic District	Dupont Circle Historic District

Adjacent Properties	Adjacent properties largely include office buildings with ground floor retail. Dupont Circle is located to the northeast.
Surrounding Neighborhood Character	The surrounding neighborhood is characterized by office buildings with ground floor retail.

III. APPLICATION IN BRIEF

Proposal:	The Applicant proposes to build a secure 24 hour vestibule for a Bank of America branch automatic teller machines (“ATMs”). The addition would be approximately 240 square feet. The addition would primarily be comprised of metal panels and glass. The ATMs would be relocated to the left of the new entrance and seating area would be created to the right of the entrance where the ATMs are currently located. The ATMs would be visible from the street through the glass storefront.
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Subject Property

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

DD/C-3-C Zone	Regulation	Existing	Proposed	Relief
Floor Area Ratio § 402	6.5	6.5	6.505	Relief required
Lot Occupancy § 403	100% max.	95%	96%	None required

V. OFFICE OF PLANNING ANALYSIS

a. Variance Relief from § 771.2 Floor Area Ratio

i. Exceptional Situation Resulting in a Practical Difficulty

The location and shape of the Subject Property, including the existing building, create an exceptional situation for the Applicant. The façade of the existing structure is circular along Dupont Circle. The building includes a recessed area at the street frontage where the 8-story portion of the building meets the one-story portion. The exterior ATMs are located in this recess area, potentially resulting in customer exposure to inclement weather and increased security risks.

ii. No Substantial Detriment to the Public Good

The proposed addition would not cause a substantial detriment to the public good.

The addition appears to be the minimal size necessary to provide a secure 24 hour vestibule for bank customers. As stated above, the bank's current configuration could expose bank customers to inclement weather and increased security risks. The expanded footprint should provide a more secure place to withdraw cash and better circulation once entering the banking center, and could reduce bottlenecks near the building entrance. The addition would largely be comprised of transparent glass and should not detract from the pedestrian experience along the street.

iii. No Substantial Harm to the Zoning Regulations

The addition would not result in a substantial harm to the zoning regulations. The addition would result in a *de minimus* increase in FAR, from 6.5 to 6.505.

VI. COMMUNITY COMMENTS

The Applicant met with ANC 2B and received positive comments; however, the ANC did not vote on the project. In addition, HPRB staff supports the project and the application was placed on the HPRB's May 22, 2014 Consent Calendar.