

Sara B. Bardin, Director
D.C. Office of Zoning
Board of Zoning Adjustment
441 4th Street, NW—Room 210
Washington, D.C. 20001

Re: Application No. 19133 of J. River 1772 Church Street, LLC
and St. Thomas' Episcopal Parish

Dear Ms. Bardin:

I live in the second townhouse east of St. Thomas' Parish Episcopal Church—Lot 369 in Square 156—*i.e.*, much less than 200 feet from the proposed project that is the subject of the above-entitled application. Since first hearing about the proposed project more than a year ago, I have had serious concerns about the structures that the church and its developer intend to build on this lot.

During much of this time, project proponents have contended that the project was theirs “of right”; they did not need any zoning variances. Now they want you to permit them to make the project even bigger than the zoning regulations permit.

Many of us in the immediate neighborhood hope that you hear us loud and clear: Granting the Applicant's request to exceed the regulatory limit on lot occupancy would exacerbate our concerns and would be particularly inappropriate given that this lot is subject to the Dupont Circle Overlay District regulations.

Simply put, this is not an exceptional situation that warrants your waiving any part of the zoning regulations. To the contrary, granting this request would be inconsistent with the general intent and purpose of the zoning regulations, to the detriment of the public generally and the Dupont Circle Historic District and its residents in particular.

As you have heard from many in the community, this proposed project is exceptional in one way: it is exceptionally large in the context of the small scale residential dwellings that predominate on the 1700 block of Church Street, NW, and it would have significant detrimental impacts on the use and enjoyment of nearby properties. The proposed buildings will contribute to traffic congestion on both 18th and Church Streets, will overburden the narrow alley between the 1700 blocks of Church and P Streets, and will deprive a number of properties of light and air.

It is difficult to know where to begin, or end, in addressing this proposed project and efforts to modify it to be compatible with our neighborhood. I do urge you to review the proposed project in the context of its more than one year history of public consideration, including professional and lay submissions before the Historic Preservation Review Board and proceedings before Advisory Neighborhood Commission 2B.

Please pay particular attention to the March 2015 resolution in which ANC 2B crafted a set of compromises that many in the neighborhood, and even the chair of St. Thomas' building committee, accepted as a reasonable basis for moving forward on this project. That resolution included two provisions that are especially important today.

One stated that ANC 2B would lead "[a] committee...including neighbors, St. Thomas, the project team, and DCCA...to engage in proactively addressing zoning and quality-of-life related matters prior to a zoning hearing." Unfortunately, at least to date, the ANC appears not to have followed up on the zoning issues component of that commitment, either in its committee work or otherwise.

In the other provision, ANC 2B committed to "support[ing] treating this project as including two separate structures, each of which is subject to the requirements of DC law and policy and each of which should comply with the letter and the spirit of historic preservation, zoning, and zoning overlay provisions." I know of no reason why the ANC should not continue to honor this commitment, which would, and should, lead it to oppose the application before you.

The lot at 1772 Church Street is SP-1 because it was the site of an historic Gothic cruciform church, largely destroyed by fire in 1970. St. Thomas' has chosen not to rebuild as an addition to what remains of that church: the historic (and protected) parish hall, cloister, and gable wall, all of which are on Church Street. Instead, St. Thomas' has decided to sell the land with these historic remains to a developer that will knock down part of them and gut and convert the rest, plus multiple additional and abutting floors, into a large apartment building on a block of Church Street that is zoned R-5-B and will also build a new church on the portion of the lot that St. Thomas' retains.

It is this complex that the Applicant now (but not earlier, before HPRB) refers to as "an addition to an existing historic structure." As is obvious to all, this is not in any real way an addition to the Parish Hall. (And if it were, what about the yard requirements for a building fronting Church Street, as well as DC's Historic Preservation Guidelines for Additions to Historic Buildings?)

As I read your regulations, they seem designed to prevent, not permit, the encroachment of large scale projects such as this one into small scale residential enclaves. Thus, the SP regulations state that "[t]he major purpose of [an] SP District [is] to act as a buffer between adjoining commercial and residential areas, and to ensure that new development is compatible in use, scale, and design with [its] transitional function... The SP District is designed to preserve and protect areas adjacent to Commercial Districts that contain a mix of row houses, apartments, offices, and institutions at a medium to high density, including buildings of historic and architectural merit..." (sections 500.2 through 500.4).

This strikes me as consonant with the Dupont Circle Overlay District regulations, which recognize that "[t]he Dupont Circle area is a unique resource to the District of Columbia that must be preserved and enhanced" and that "[s]trong protections are needed to retain", among other things, its low scale, predominately residential human scale streetscapes, and historic character given the high-density development pressures caused by its proximity to the Central Employment Area and the Dupont Circle Metrorail Station (section 1501.1) and whose purpose includes (among other things) "[r]equir[ing] a scale of development consistent with the nature and character of the Dupont Circle area in height and bulk; and...ensur[ing] a general compatibility in the scale of new buildings with older, low scale buildings by restricting the

maximum permitted height and floor area ratio of new buildings to that of the underlying zone;...[p]rotect[ing] the integrity of 'contributing buildings'...; [and e]nhanc[ing] the residential character of the area by...controlling the scale, location, and density of commercial and residential development" (section 1501.4).

Finally, I note that your regulations provide that "[t]he written report of the ANC...shall be submitted to the Board at least seven (7) days in advance of the hearing..." (section 3115.1) (in the instant matter, by Monday of this week). When asked about this deadline, one ANC 2B commissioner replied that it did not matter, that BZA understands that the ANC would not meet until Wednesday evening and so expected a late submission. But what about members of the public? If you accept a post-meeting report from ANC 2B (presumably, on the Thursday before the hearing, at the earliest) and proceed with your hearing next Tuesday, you have seriously undermined the ability of members of the neighborhood like myself to address that report and yet submit comments to you in advance of the hearing.

Thank you for your consideration,
Judith Neibrief
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