GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

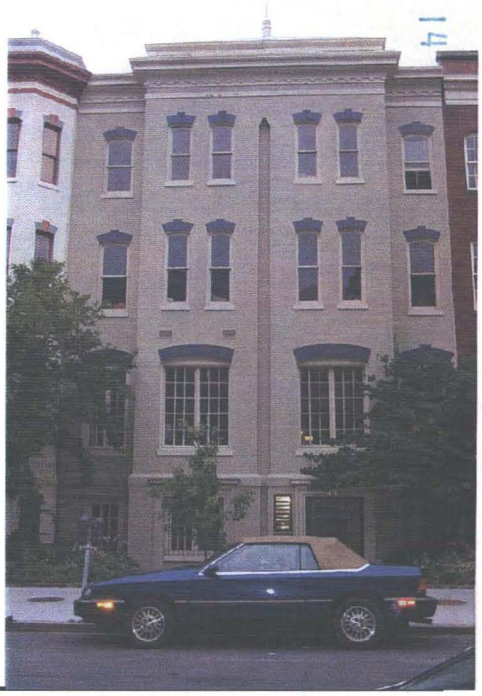
DATE: October 16, 2001

TO: District of Columbia
Board of Zoning Adjustment

THROUGH: Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: BZA Case No. 16782
1742 N Street Co., LLC
1742 N Street, NW
Square 159 Lot 86



Summary

The applicant, 1742 N Street Co., LLC, the owner of the subject property, seeks approval of a special exception for additional office space use in an SP District and a variance from the floor area ratio requirement. The applicant proposes to construct an addition to an existing office building that will add approximately 600 square feet of space.

Recommended Action:

The Office of Planning recommends approval of this application.

Special Exception Issues:

- In accordance with §3104.1 the Board must determine if the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. Due to the scope of the project the proposal will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. Additionally, the development will not affect adversely the use of neighboring property, except to

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Board of Zoning Adjustment
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EXHIBIT NO.24

the extent that it may impact historic resources. The applicant is scheduled to go before the Historic Preservation Review Board on October 25th.

- In addition, by reference in §3104.2 the conditions of §508 must be met. The first condition in §508 requires that the use, height, bulk, and design shall be in harmony with existing uses and structures on neighboring property. The use, height and bulk will be in harmony with existing uses and structures on neighboring property. With the exception of the impact on historic resources in the neighborhood, which the Office of Planning defers to the Historic Preservation Review Board for comment, the design will be in harmony with existing uses and structures.
- The second condition of §508 requires that the use shall not create dangerous or other objectionable traffic conditions. The addition to the existing use will not impact traffic conditions.

Variance Issues:

- In considering this case, the Board must determine if by reason of some extraordinary or exceptional situation or condition of this property the strict application of zoning regulations would result in peculiar and exceptional practical difficulties. Regarding the exceptional situation or condition of this property the Office of Planning did find an extraordinary or exceptional situation that would justify this request based on the information provided by the applicant.
- Regarding the peculiar and exceptional practical difficulties the Office of Planning believes the strict application of the zoning regulations does present practical difficulties in meeting the life safety and handicap accessibility issues of this site.
- The Board should determine if the variance could be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the zone plan. The Office of Planning believes that the proposed variance will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan.

Background

The subject property is located at 1742-1744 N Street, NW (Square 159, Lot 86) close to mid-block between 17th Street and 18th Street, NW (See below). The area is part of the Dupont Circle Overlay District and is zoned medium density Special Purpose District (SP-1). The area contains a mix of uses and a variety of building heights and styles. The area is predominately row houses style buildings which contribute to its historic character. The site is in the Dupont Circle Historic District and subject to review by the Historic Preservation Review Board. As can be seen from the 1995 aerial photo below there is little vacant land and new development in the area tends to be infill development.



Square 159 is irregularly shaped with Rhode Island Avenue on the south and Connecticut Avenue to the west. This has led to a unique lot development pattern that has resulted in a shallow set of lots in the mid-block of N Street. The southwestern portion of square 159 is in the C-3-C Zoning District with the remainder of the square in the SP-1 Zoning District.

A mix of commercial, chancery, office, hotel and other uses surround the property. Office use was established on the site in 1976. The brick and block four-story office building sits in the middle of a long set of row houses facing N Street. A 10' private alley abuts the rear of the property and provides access to 3 on-site parking spaces. This private alley outlets on St. Mary's Court, a public alley serving the entire square. The private alley serves 5 lots that are truncated at a 100' depth by the alley and creates 4 interior lots fronting on St. Mary's Court.

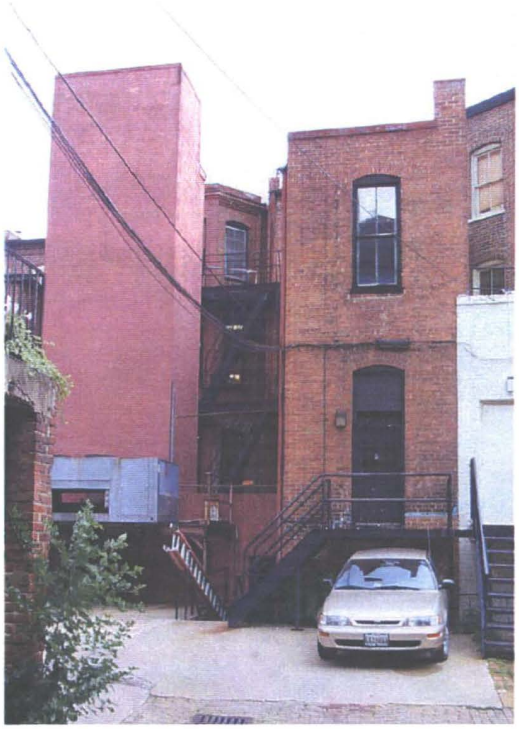
Formerly, the building consisted of two distinct structures, which were renovated and combined into a single office building. Rear additions were added separately to these

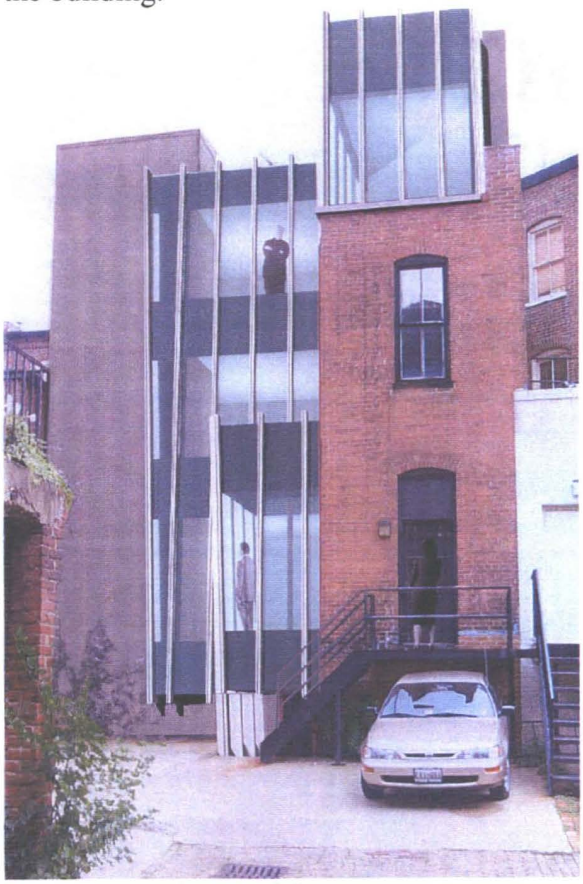
structures prior to being combined, creating an irregular rear façade. These additions created a narrow areaway and court.

Project Description

The applicant's proposed addition will enclose the existing areaway and which is also occupied by an exterior fire escape located on the rear of the structure. The enclosure will permit a new stairwell, ADA accessible restroom, corridors and office space totaling an additional 1,122 SF of which approximately half is office space.

The addition will be a modern glass and metal addition that will fill in the area way and add some area to the fourth floor rear of the building.





Comprehensive Plan

The Comprehensive Plan sets goals of encouraging the renovation and adaptive re-use of exiting structures rather than demolition. Also, §1407.3 (b) outlines the following goals.

(4) Seek ways and means to provide regulatory, technical, and financial support and encouragement to owners of historic properties to ensure the retention and maintenance of such properties and sites; seek to make changes in regulations or public policies which may impede historic preservation efforts;

(5) Monitor new construction and alteration of structures and the use, modification, or proposed demolition of landmarks, to ensure preservation and compatibility with historic resources in Ward 3;

(6) Evaluate development proposals within or adjacent to an historic landmark or district to ensure that design is compatible with, and that there are no adverse impacts upon, the affected historic landmark or district; development must respect the character of a landmark or district and shall minimize negative impacts on adjacent or nearby park lands through the appropriate use of materials, building scale, architectural detail, and other design characteristics;

These goals can be met by allowing a variance for an addition that will address the life safety and accessibility issues of the building, thereby maintaining continued productive use of the historic building. In addition, to meet the comprehensive plan goals, the developer must satisfy the Historic Preservation Review Board that the proposed development is compatible with and has no adverse impacts on the historic district.

Zoning Analysis

The subject property is in a DC/SP-1 zone. The Dupont Circle Overlay District (DC) has the following purposes:

1. To require a scale of development consistent with the nature and character of the Dupont Circle area in height and bulk; and to ensure 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;
2. To protect the integrity of "contributing buildings," as that term is defined by D.C. Law 2-144, the Historic Landmark and Historic District Protection Act of 1978, in the various historic districts within the overlay district; to require compatibility of development with the purposes of D.C. Law 2-144; and to preclude demolitions or partial demolitions which would lead to an increase in height and floor area ratio inappropriate to the area;
3. To enhance the residential character of the area by maintaining existing residential uses and controlling the scale, location and density of commercial and residential development;
4. To ensure compatibility of development with the Comprehensive Plan;
5. To preserve areas planned as open gardens and backyards and to protect light, air, and the privacy that they provide;
6. To enhance the streetscape by maintaining the public space in front of buildings as landscaped green spaces and limited curb cuts on Connecticut Avenue; and
7. To encourage greater use of public transportation and the free circulation of vehicles through public streets and alleys.

The proposed development meets the applicable purposes of the Overlay district. The proposed addition is permitted under §508 with a special exception granted by the BZA in accordance with §3104.1.

The SP-1 zone has the following requirements:

	SP-1	Existing	Proposed	Change	Variance
GFA	8,125 SF	7,864 SF	8,493 SF	629 SF (14.3%)	861 SF (10.6%)
FAR	2.5	2.42	2.61	0.19	0.11 (4.4%)
Height	65'	42'-9"	42'-9"	0	N/A
Lot Occupancy	80%	64%	68%	4%	N/A
Rear Yard	12'	18'	18'	0	N/A
Side Yard	None	None	None		N/A
Courts (open)	12'	6'-10'	15'	3'	N/A
Parking	3	3	3	0	N/A
Loading	None	None	None	0	N/A

The proposed development requires a variance from the floor area ratio requirements. This may be granted by the BZA under §3103.

Special Exception Tests

In accordance with 3104.1 the Board must determine if the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. As discussed above the proposed addition is predominately being undertaken to address life safety and accessibility issues. It is a small addition at the rear of the building. Based on the scope and purpose of the project the proposal will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. Additionally, the development will not affect adversely the use of neighboring property, except to the extent that it may impact historic resources. The applicant is scheduled to go before the Historic Preservation Review Board on October 25th.

In addition, by reference in §3104.2 the conditions of §508 must be met. The first condition in §508 requires that the use, height, bulk, and design shall be in harmony with existing uses and structures on neighboring property. The use of the building will remain office and the proposed addition will not increase use of the building, but will provide greater accessibility and more efficient use of space. The development will match the height of the existing building and the bulk, located at the rear of the building and unseen from the street, will remain essentially unchanged in its impact with the enclosure of the areaway. With the exception of the impact on historic resources in the neighborhood, which the Office of Planning defers to the Historic Preservation Review Board for comment, the design will be in harmony with existing uses and structures.

The second condition of §508 requires that the use shall not create dangerous or other objectionable traffic conditions. As the addition will only provide more spacious and accessible accommodations, the addition to the existing use will not impact traffic conditions. The existing parking will remain.

Variance Tests

Extraordinary or Exceptional Situation

In considering this case, the Board must determine if by reason of some extraordinary or exceptional situation or condition of this property the strict application of zoning regulations would result in peculiar and exceptional practical difficulties. The existing lot is exceptional in shape due to the unusual configuration of Square 159 and the resultant creation of the exceptionally shallow lots by the existing alley system. The physical improvements to the subject property present an additional exceptional condition. The historic building and the unique areaway do not accommodate modern life safety and accessibility needs within the existing structure, which creates an extraordinary situation.

Result in Peculiar and Exceptional Practical Difficulty

Due to the constraints imposed by Dupont Circle Overlay District and the Dupont Circle Historic District options to improve the life safety and accessibility of the building are limited. Enclosing the rear areaway and reconfiguring the interior space presents the best option for addressing these issues, but this option is blocked by the peculiar and exceptional practical difficulty presented by strict application of the floor area ratio requirements of the zoning district.

Adversely Affect Use of Neighboring Property

The Board should determine if the variance could be granted without substantial detriment to the public good and without impairing the intent, purpose and integrity of the zone plan. Based on the scope of the work proposed and the fact that the proposed addition will be filling in a small interior space, the proposed 4.4% FAR variance will not be a substantial detriment to the public good or impair the intent, purpose and integrity of the zone plan.

ANC Recommendation

The ANC2B recommends approval of this application.

Recommendation

The Office of Planning recommends approval of BZA application 16782 requesting a special exception in accordance with §508 and §3104 and a variance from the Floor Area Ratio restrictions of §531.1 in accordance with §3103. This recommendation is

conditioned on a favorable recommendation from the Historic Preservation Review Board.