BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application of The German Marshall Fund of the United States
1742 R Street, NW

PRELIMINARY STATEMENT OF COMPLIANCE WITH BURDEN OF PROOF

I. Background:

The Subject Property, Lot 150 in Square 155, with premises address of 1742 R Street, NW, is currently improved with a three-story-plus-attic-story building utilized as offices. The Subject Property is zoned DC/SP-1.

The Applicant, the German Marshall Fund of the United States, has its offices in the four-story building located immediately west of the Subject Property, at 1744 R Street, NW. The Applicant has purchased the Subject Property and proposes to utilize the Subject Property for its expanded offices. The Applicant's plans include the creation of an opening connecting the two buildings on each floor, construction of an addition to the rear of the building on the Subject Property to provide stair and elevator access, and a small area of new construction on the current roof of the building on the Subject Property.

In order to proceed with the Project, the Applicant seeks special exception under §508.1 of the Zoning Regulations, which, among other things, permits construction of an addition to a building for office use pursuant to special exception approval by the Board.

Pursuant to §3113.8 of the Zoning Regulations, the Applicant will file its Statement of the Applicant with the Board no fewer than 14 days prior to the public hearing for the present Application. In said Statement, and at the public hearing, the Applicant will provide testimony to meet its burden of proof to obtain the Board's approval of the requested special exception under the Regulations, set forth in §§3104 and 508.

Following herein, as required by the Board's application process, is a summary statement indicating how the Applicant will meet said burden of proof.

II. Burden of Proof:

Pursuant to §508.1 of the Zoning Regulations, construction of a new office building or construction of an addition to a building for office use, or

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conversion of an existing building to office use, shall be permitted in an SP District if approved by the Board of Zoning Adjustment in accordance with the conditions specified in §3104 of the Regulations, subject also to the provisions of §508.

A. Section 3104.1. *The Board is authorized to grant the special exception, where, in the judgment of the Board, it will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with the Regulations and Maps.*

The Applicant notes that the building on the Subject Property is currently utilized as office space. No residential space is being converted to commercial space in the present case. Further, the building addition proposed for the Subject Property, including both the rear/stairwell and rooftop additions, involves a net increase of only approximately 832 square feet. Of the new construction, approximately 702 square feet, 85 percent of the net addition, is designated as circulation space. Finally, no aspect of the Applicant's proposal will be visible from R Street, NW.

B. Section 508.2. *Each application is required to be referred to the Office of Planning for review, report and impact assessment, and, if applicable, for coordination with other relevant District departments and agencies.*

The present application will be referred to the Office of Planning as required.

C. Section 508.3. *The use, height, bulk and design shall be in harmony with existing uses and structures on neighboring property.*

As stated above, the building on the Subject Property is currently utilized as offices. Thus, the office use proposed by the Applicant is consistent with the existing use. No significant increase in density/concentration of use is contemplated by the Applicant.

With regard to building height, the existing structure measures 48 feet in height. The SP-1 District permits up to 65 feet. The application proposes a rooftop addition and rear/stairwell addition which will increase the height of the rear portions of the building to 52 feet, well within the permitted height for the SP-1 District. In addition, the new construction will be hidden from public view along R Street, NW, by the existing parapet/attic story of the building.

The bulk of the proposed project is also in keeping with the requirements of the SP-1 District, which permits a density of 2.5 FAR. The existing building

occupies approximately 1.61 FAR. With the additions contemplated, the building density will total only 2.13 FAR, well below the allowable density.

Finally, the design of the proposed project is in harmony with the existing uses and structures on neighboring property. Both the existing building on the Subject Property and the building at 1744 R Street, NW, are considered contributing buildings to the Dupont Circle Historic District. As such, review over any alteration, new construction, subdivision or demolition to said buildings is undertaken by the Historic Preservation Review Board ("HPRB"). The Applicant is in the process of filing for formal review by the HPRB. HPRB Staff has reviewed the proposed project and has indicated that it will recommend approval by the HPRB. Again, the proposed new construction will not be visible from R Street, NW.

D. Section 508.4. *The use shall not create dangerous or other objectionable traffic conditions.*

The proposed project will not represent any substantial increase in office use/activity over the current office use of building on the Subject Property. Nor does the Applicant's proposed use generate any exceptional additional automobile traffic to the Property. The Applicant seeks to retain the existing parking space at the rear of the Subject Property.

E. Section 508.5. *The Board may require special treatment in the way of design, screening of buildings, accessory uses, signs, and other facilities as it shall deem necessary to protect the value of neighboring property.*

As the Applicant will demonstrate at the public hearing, it is undertaking a sensitive expansion of its operations through the conversion of existing office space within the SP-1 District. The Applicant is well known and respected in this community and will demonstrate that there is no need for concern from the Board that the proposed expansion might threaten neighboring property values. With regard to building design, the Applicant continues to work with the HPRB to ensure the sensitive and sympathetic renovation of the building. The Applicant's proposal contemplates only a net increase in functional space of approximately 130 square feet.