

**Outline of Testimony
before the Board of Zoning Adjustment**

**BZA Application No. 17337
1743-1755 N Street, N.W.**

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I. Site location and description

A. Location

1. North side of N Street between 17th and 18th Streets, N.W.
2. Project site consists of lots 69, 835 and 836 in Square 158
3. Site located in the Dupont Circle area of Northwest Washington
4. In Dupont circle Historic District

B. Size

1. Total site area is approximately 20,648 square feet
2. Rectangular site with frontage of approximately 150 feet on N Street

C. Existing site condition:

1. Improved with five four and five story buildings currently vacant
2. Building at 1745 N Street has a ten foot side yard on its west side

II. Description of surrounding area (see aerial photo, attached)

A. Dupont Circle area, inside the northern edge of the Central Employment Area

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- B. Area contains mix of buildings and uses
 - 1. Offices, hotels, apartments and institutional uses
 - 2. Ground floor retail
 - 3. Many high-rise buildings
 - 4. Many mid-rise townhouse structures

III. Existing zoning: DC/SP-1

- A. Uses (§§501-517) – hotel or inn permitted as a special exception (§512)
- B. Height – maximum of 65 feet (§530.1)
- C. Floor area ratio (§531.1)
 - 1. Maximum of 4.0 for apartment house or other residential use
 - 2. Maximum of 2.5 for other permitted uses
 - 3. Hotel floor area apportioned between residential and nonresidential FAR (§531.3)
- D. Rear yard (§534)
 - 1. Minimum of 2 1/2 inches per foot of height at the rear but not less than 12 feet
 - 2. Measured from the centerline of the alley
- E. Open court – minimum of 3 inches per foot of height but not less than 12 feet (§536.1)
- F. Parking (§2101.1):
 - 1. For guest rooms, minimum of 1 space for each 4 rooms usable for sleeping
 - 2. For the largest function room or exhibit space, 1 space for each 150 square feet of floor area

G. Loading

1. For hotel rooms: 1 30 foot loading berth and 1 service/delivery loading space
2. For function rooms: none required for less than 10,000 square feet

H. Dupont Circle (DC) Overlay District (§§1500-1505)

1. Specification of height and FAR in PUDs (§1503)
2. Standards for PUDs (§1504)
3. Prohibition on driveways and drive-through uses (§1505)

IV. Proposed development

- A. Use: 77 room hotel, incorporating significant portions of existing contributing buildings
- B. Height: 5 stories, approximately 55 feet
- C. FAR: 4.0
- D. Parking – 96 spaces in 3 level underground garage with access from the public alley

V. Relief required

- A. Special exception for hotel use (§512)
- B. Special exception for roof structures (§411.11)
 1. Setback
 2. Multiple enclosures
- C. Variance from the width of open court requirements (§536.1)
 1. Minimum width required: 12 feet
 2. Proposed: 10 feet
 3. Variance: 2 feet

VI. Standards for the hotel special exception (§512)

- A. Height, bulk and design shall be in harmony with existing uses and structures on neighboring property
- B. Board may require special treatment in the way of design, building setbacks, screening, landscaping, sign controls and other features as necessary to protect neighboring property
- C. Approval shall result in balance of residential, office and hotel or inn uses in the SP District in the vicinity
- D. Gross floor area devoted to function rooms and exhibit space shall not exceed 15% of the total gross floor area
- E. Shall be located within 1,300 feet of the Central Employment Area or a Metrorail station
- F. Board may require more or less off-street parking or loading berths
- G. Location and design of driveways, access roads and other circulation elements shall avoid dangerous or other objectionable traffic conditions

VII. Compliance with standards for hotel special exception

- A. Height is 10 feet less than the maximum permitted as a matter-of-right
- B. Height is same as three existing buildings on the west side of the site and slightly higher than the other two buildings
- C. Bulk is within the FAR permitted
- D. Building mass comparable to other existing buildings on N Street
- E. Exterior design as viewed from the street is essentially unchanged
- F. Exterior design is subject to review and will be controlled by the Historic Preservation Review Board
- G. Within the SP zoned area of the subject square and the squares immediately to the north and south:
 - 1. High-rise apartment houses at 1325 18th Street and 1701, 1711 and 1727 Massachusetts Avenue

2. Offices along both sides of N Street, the south side of the 1700 block of Massachusetts Avenue and at 1711, 1775 and 1785 Massachusetts Avenue
 3. Hotels at 1733 and 1739 N Street, immediately to the east of the subject property
 4. Other uses include embassies and chanceries and the YMCA
- H. Small function rooms on the first and second floors (approximately 6,400 square feet) total less than 15% of the gross floor area (12,385 square feet)
- I. Within the Central Employment Area
- J. No parking or loading is required (addition to contributing buildings in historic district)
- K. Would meet parking and loading requirements if applicable
- L. Parking and loading access provided off the alley, which varies in width from approximately 25 to 40 feet behind the subject property
- M. Garage will be controlled by hotel valet service

VIII. Standards for the roof structure special exception (§411.11)

- A. Where impractical because of operating difficulties, size of building lot, or other conditions relating to the building or surrounding area
- B. that would tend to make full compliance unduly restrictive, prohibitively costly, or unreasonable
- C. the Board of Zoning Adjustment shall be empowered to approve the location, design, number and all other aspects of such [roof] structure
...
- D. Provided that 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.

IX. Compliance with the special exception standards for roof structure

A. Size of building lot and other conditions:

- 1. Building is a U-shaped hotel with a central courtyard to provide windows for guest rooms**
- 2. Retention of major portions of the front and rear facades of the existing buildings**

B. Unduly restrictive and unreasonable

- 1. Main roof structure contains elevators and mechanical equipment located near front of building proximate to the main lobby**
- 2. Second roof structure is elevator override for service elevator located adjacent to loading area at the rear**
- 3. Third roof structure is stair tower at the end of the corridor at the northwest corner of the building**
- 4. Stair was relocated from main roof structure to increase setback from historic facades at front**

C. Impact on light and air of other buildings

- 1. Penthouses are less than maximum height permitted**
 - a. Main roof structure is only 14 feet above the roof**
 - b. Service elevator penthouse is only 5 feet above the roof**
 - c. Stair tower is only 10 feet above the roof**
- 2. Building is 10 feet less in total height than maximum permitted**
- 3. Only main roof structure exceeds the total height permitted and that by only 4 feet**
- 4. Main roof structure is setback 8 feet from the east side lot line, 40 feet from the main wall at the front but only 10 feet (at the closest point) from the edge of the roof on the south, +15 feet at the closest point on the north and is not setback from the edge of the roof facing the interior courtyard**

II. Standards for a variance (§ 3103.2)

- A. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property,
- B. The strict application of any regulation adopted under D.C. Code §§ 5-413 to 4-432 (1981) would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship;
- C. Provided, that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

III. Compliance with the variance standards

- A. Exceptional or extraordinary situation or condition
 - 1. Existing contributing buildings on the site
 - 2. Existing nonconforming condition (side yard)
- B. Practical difficulty
 - 1. Adaptive reuse requires connecting the buildings into a single whole
 - 2. Side yard is converted to a court
 - 3. Cannot infill between two buildings to the front property line
- C. No detriment to the public good
 - 1. Project preserves, protects and enhances existing historic buildings

2. Variance is minimal (2 feet)
3. At 3 inches per foot, required width would be only approximately 10 feet

X. Conclusions

- A. Project meets all the specific requirements for special exception for hotel use
- B. Use is consistent with uses immediately to the east and does not alter the essential balance of uses in the vicinity
- C. Height, bulk and design maintain appearance from N Street
- D. Strict application of Zoning Regulations will create practical difficulties for owner, as could not connect buildings into single project
- E. Project will be substantial improvement of area, replacing vacant buildings with productive use
- F. Roof structures are all less than maximum height permitted
- G. Setback relief is minimal except for interior courtyard side
- H. Allowing 3 roof structures (instead of 2) reduces the mass on the roof
- I. The application should be granted

