

**BEFORE THE BOARD OF ZONING ADJUSTMENT  
OF THE DISTRICT OF COLUMBIA**

Application of  
The Board of Trustees of the Leland Stanford Junior University

Case No. 21380  
ANC 2C02

**STATEMENT OF THE APPLICANT**

This application is made by The Board of Trustees of the Leland Stanford Junior University (the “**Applicant**” or “**Stanford**”) for special exception and variance relief allow a small addition to and conversion of an existing historic four-story building in the D-2 zone. The subject property is located at 1128 16<sup>th</sup> Street NW (Square 183, Lot 91) (the “**Property**”). The Applicant is the owner of the Property.

*This statement replaces that filed with the application at exhibit 3 in the record. Unless otherwise stated, all other exhibits in the record remain.*

**I. RELIEF SOUGHT**

The Applicant requests that the Board of Zoning Adjustment (“**BZA**” or “**Board**”) grant the following three areas of relief:

1. A special exception from the penthouse setback requirements of Subtitle C § 1504.1, pursuant to Subtitle C § 1506.1.
2. A special exception from the rear yard requirements of Subtitle I § 205.1, pursuant to Subtitle I § 205.5.
3. An area variance from the non-residential FAR requirements of Subtitle I § 509.3.

## II. JURISDICTION OF THE BOARD

The Board has jurisdiction to grant the relief requested pursuant to Subtitle X §§ 900.2 & 1000.1 of the Zoning Regulations.

## III. DESCRIPTION OF THE PROPERTY, SURROUNDING AREA, AND PROJECT

### A. Description of the Property and Surrounding Area

The Property is located between the Golden Triangle and Downtown neighborhoods in Ward 2, and it is approximately five blocks north of the White House. It is also located within the Sixteenth Street Historic District. The Property is bordered by a six-story office building to the south, a 12-story office building to the west, a public alley (known as Sumner Row) to the north, and 16<sup>th</sup> Street NW to the east. The Property has a land area of approximately 2,636 square feet and is located in the D-2 Zone District.

The Property is improved with a four-story building originally constructed circa 1906 as a single-family residence (the “**Building**”), according to DC historic records. The Building is a contributing structure in the historic district, and it is currently used as an office.

The Building is approximately 58’-5” tall, 27 feet wide, and has a gross floor area (“**GFA**”) of approximately 9,677 square feet, which equates to a floor area ratio (“**FAR**”) of approximately 3.67. This FAR is slightly nonconforming for non-residential use since the maximum permitted non-residential FAR is 3.5. The existing

rear yard of the Building is 8.5 feet, which is also nonconforming (the minimum required is approximately 12'-2").<sup>1</sup>

The area surrounding the Property consists predominantly of non-residential, office, and institutional uses in high-density commercial buildings. To the north across the alley is the campus of the National Geographic Society. Other buildings in the Square are also primarily high-density office and institutional buildings, with the remainder of the Square to the west of the Property zoned D-6. To the east across 16<sup>th</sup> Street are an eight-story office building, the University Club, the Russian Ambassador's residence, and a seven-story office building.

B. Description of the Applicant, Project, and Requested Relief

Stanford University is a globally recognized academic institution committed to advancing knowledge, fostering innovation, and promoting public service. Among its renowned entities is the Hoover Institution ("**Hoover**"), a leading public policy think tank and research center located at Stanford. The Hoover Institution enhances Stanford's mission by supporting rigorous scholarship and policy analysis, and by engaging a diverse community of scholars in research on economics, national security, history, law, technology, education, and related fields

At a time when downtown Washington is struggling to attract and retain businesses, and downtown buildings are losing tenants, the Hoover Institution will

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<sup>1</sup> The minimum required rear yard is 2.5 inches per foot of building height, but at least 12 feet. Based on the Building's height of ~58'-5", the required rear yard is ~12'-2". See Subtitle I § 205.1.

buck the trend and invest in the District by establishing its Washington, DC presence at 1128 16th Street NW.<sup>2</sup> This investment also reflects Stanford's expanded commitment to connecting research and scholarship with public discourse and policy development at the national level. The proposed project involves careful renovation and adaptive reuse of the historic four-story Building to serve Hoover's needs for offices (for scholars and other staff), research, meetings, and collaborative events, while also supporting Stanford's broader academic and educational initiatives. At the Building, Hoover will accommodate approximately 10 regular employees, hold multiple weekly meetings, host frequent visitors, and hold a steady calendar of speaking events (speakers, panels, lectures, etc.).

To make the Building suitable for Stanford's and Hoover's programmatic and space needs, and to comply with current Building Code, life-safety, and accessibility requirements, Stanford will undertake an extensive interior renovation and reconfiguration, as well as some minor exterior additions (the "**Project**"). The plans, drawings, and elevations for the Project (the "**Plans**") are included at exhibit 5 in the case record.

Each element of the Project is necessary for Hoover's programmatic needs. The interior components of the Project will affect every floor in the Building. The first floor will contain primarily reception spaces, small meeting spaces, rest rooms, and hoteling office spaces. The second floor will contain the two most important spaces

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<sup>2</sup> A key element of the Mayor's Downtown Action Plan for revitalizing downtown is the addition of universities and affiliated uses. *See* [www.reimaginedowntowndc.com](http://www.reimaginedowntowndc.com)

for Hoover's program: a conference room at the front and a multipurpose room at the rear. The critical multipurpose room will accommodate lectures, lunches/dinners/banquets, panel presentations, ceremonies, and educational programs led by Hoover scholars and Stanford faculty, reaching a wide array of guests. Based on Stanford's and Hoover's programming needs, the multipurpose room must accommodate approximately 100 guests in seated rows and approximately 72 guests seated at tables in a rectangular room. Accommodating these seating arrangements requires approximately 1,000 square feet of space, and, as proposed, the multipurpose room will contain approximately 950 square feet. The third and fourth floors will include offices and small meeting rooms for Hoover's scholars, staff, and visitors. These spaces upgrades are necessary to ensure the Building can support the wide range of programs that the Hoover Institution and Stanford envision for their Washington presence.

The Project's two exterior elements include a new penthouse and rear stairway. The roof will include a new penthouse containing mechanical equipment (screening), an elevator overrun for a new accessible elevator, a stair tower, and habitable space to allow access to and service of a new outdoor terrace. As shown on the Plans, the penthouse will be set back as required from roof edges at least 1:1, except for the elevator overrun and mechanical enclosure.<sup>3</sup> The elevator overrun will be 14'-3" tall but set back from the north roof edge facing the alley by approximately

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<sup>3</sup> Pursuant to Subtitle C §§ 1503.4(b) & (c), the elevator overrun and mechanical equipment screening, respectively, may be different uniform heights than the rest of the penthouse.

7'-7", so it will require relief from the penthouse setback requirement. The mechanical screening enclosure will be approximately 5'-1" tall and not set back from the rear roof edge, so it also will require relief from the penthouse setback requirement.

The new Code-compliant exterior stairway will be added to the rear of the Building to provide a second means of required egress from the upper floors without consuming limited and important interior space on the first and second floors, especially in the multipurpose room. The new rear stairway will be enclosed, approximately 34.3 feet tall, and approximately 8.5 feet deep. Because it will be enclosed, the stairway will add approximately 465 square feet of GFA (approximately 0.18 FAR), meaning that it will extend the Building's nonconforming non-residential FAR to 3.85 and necessitate relief. Also, the top 9'-3" of the stairway will consume the existing rear yard, meaning that for only that top portion of the stairway, rear yard relief is required (a rear yard is not required for the first 25 feet of building height).<sup>4</sup>

#### **IV. THE APPLICATION SATISFIES THE CRITERIA FOR THE REQUESTED SPECIAL EXCEPTION RELIEF**

##### **A. Penthouse Setback Relief**

Relief from the penthouse setback requirements in Subtitle C § 1504.1 is permitted as a special exception, subject to the criteria in Subtitle C § 1506.1 and the

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<sup>4</sup> Subtitle I § 205.2(a).

general provisions of Subtitle X § 901.2. For the reasons set forth below, the application satisfies these requirements.

*1. Demonstration that reasonable effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks.*

For the Applicant to accommodate access to the planned new roof terrace, a new elevator that complies with applicable codes must be installed. The Applicant has minimized the height of the overrun as much as possible while also accommodating service to the roof, where no such elevator service currently exists. In addition, new HVAC mechanical equipment is necessary for the modernization of the Building, and the only available space for its placement is the roof, which has little available space that does not otherwise impact the outdoor terrace.

The Applicant designed the overall penthouse to comply with all required setbacks, but the elevator overrun cannot be set back the full extent of the requirement because of the mechanical equipment required for the elevator and because of the required placement of the elevator within the Building footprint (see below). Similarly, screening around the HVAC equipment will be set back from the Building's north roof edge – where it is most likely to be visible – but it cannot be set back from the rear roof edge while enclosing all of the necessary equipment. Nevertheless, the design and placement of the penthouse, including the elevator overrun and mechanical screening, has been reviewed and approved by the HPRB to ensure that visual impacts are negligible and acceptable.<sup>5</sup>

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<sup>5</sup> HPA 25-283. HPRB granted concept approval on June 26, 2025.

*2. Demonstration that ... (4) Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C § 115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.*

The Applicant carefully placed the elevator to achieve the greatest efficiency of the layouts of the floors below. The elevator's proposed location within the Building will minimize impact on the utility of and limit consumption of valuable floor area on the floors below. In particular, as described above, the programmatic needs of Hoover require that the multipurpose room be a minimum size to accommodate various functions with audiences. In order to attain this minimum necessary size, the Applicant placed the elevator shaft so that it does not encroach on the multipurpose room. However, this placement of the elevator shaft will move its overrun to closer to the north elevation, so that the full required setback cannot be provided. If the elevator overrun were moved further to the south to comply with the setback requirement, then it would break up the multipurpose room. This result would be unduly restrictive on Stanford's programmatic needs and would render the multipurpose room – and ultimately the Building – unsuitable for Hoover to occupy the Building.

Further, the Applicant located the HVAC equipment in the only place it is possible without compromising the outdoor terrace: on the northwest corner of the roof. The stairway, elevator overrun, and small habitable space in the penthouse are all necessary to access and service the roof terrace, which means that there is very



little roof area where the HVAC equipment may be located without having a much greater visual impact, such as above the habitable penthouse. Thus, the planned location of the HVAC equipment and screening minimizes both the impact on the rooftop program and the visual impact by not being setback only from the rear roof edge, where it will have very limited visibility.

*3. Satisfaction of the general special exception requirements of  
Subtitle X § 901.2*

Only two parts of the new penthouse do not comply with the setback requirement: the elevator overrun and HVAC mechanical screening. The elevator overrun's setback from the north building wall edge will be deficient by only 6'-8". While the mechanical screen will not be set back from the rear building wall edge, it will be only 5'-1" tall so limited in its visibility in any event. The elevator overrun has been designed and placed so that the elevator minimizes impact on the floors below while maximizing the amount of rooftop setback. The HPRB approval of the penthouse design – including the height and placement of the elevator overrun and mechanical screening – supports the conclusion that these will have nominal, if any, adverse visual impacts. Accordingly, because the application also satisfies the specific criteria, granting the requested relief would not tend to adversely affect neighboring properties, and it would be in harmony with the purpose and intent of the Zoning Regulations.

B. Rear Yard Relief

Relief from the rear yard requirements in Subtitle I § 205.1 is permitted as a special exception, subject to the criteria in Subtitle I § 205.5 and the general provisions of Subtitle X § 901.2. For the reasons set forth below, the application satisfies these requirements.

*1. No window to a residence use shall be located within forty feet (40 ft.) of another facing building;*

Neither the Building nor any buildings to its rear contain residential use.

*2. No window to an office use shall be located within thirty feet (30 ft.) of another facing office window, nor eighteen feet (18 ft.) in front of a facing blank wall;*

The existing 8.5-foot rear yard that separates the Building from the office building to the west is already less than the dimensions described in this criterion. As shown on pages 21 & 25 in the Plans, the proposed rear stairway does not create any conditions that violate this criterion. For the small portion of the proposed rear stairway that requires this relief – the 9'-3" above 25 feet in height – windows on adjacent property will not be obstructed, and no new blank walls will be created that directly face any window.

*3. A greater distance may be required between windows in a facing building than the minimum prescribed in (a) or (b) if necessary to provide adequate light and privacy to habitable rooms as determined by the angle of sight lines and the distance of penetration of sight lines into such habitable rooms;*

Because the existing rear yard is only 8.5 feet, creating a greater distance is not possible. Nonetheless, as shown on pages 25 in the Plans, for the portion of the

new rear stairway above 25 feet that requires relief, no windows on the building to the west will be obstructed. Also, the proposed stairway will function only as a secondary required means of egress, so it will not be regularly used and will rarely have people in it. Thus, it will not create enclosed space for regular use or new sight lines from which privacy in the surrounding buildings can be compromised.

*4. The building shall provide for adequate off-street service functions, including parking and loading areas and access points.*

The Building currently does not provide any off-street parking or loading, and the proposed relief does not change that. The existing rear yard is too small to accommodate parking or loading, and it currently functions as only to accommodate trash containers.

However, even with the requested relief, this area will still accommodate trash containers, and the overall handling of trash for the Building will improve. With the renovation, trash will be stored in the cellar and brought up only for pickup. The containers will be temporarily stored at the rear of the Building, between the new stairway and the alley; thus, no trash containers will occupy the alley or public space. General loading will be handled similarly, with deliveries occurring from the alley into the Building rear.

*5. Satisfaction of the general special exception requirements of Subtitle X § 901.2*

The requested rear yard relief pertains to only the upper 9'-3" of the new rear stairway, and the existing rear yard and separation from the building to the west is

only 8.5 feet. Above 33 feet, the existing rear yard will remain since the new stairway will not extend above this or to the full height of the Building. The small part of the stairway necessitating relief will not obstruct any windows on other properties, will not create a blank wall upon which any windows will directly face, and will not create any usable space from which privacy of other properties may be compromised. Accordingly, because the application also satisfies the specific criteria, granting the requested relief would not tend to adversely affect neighboring properties, and it would be in harmony with the purpose and intent of the Zoning Regulations and Zone Plan.

#### **V. THE APPLICATION SATISFIES THE CRITERIA FOR THE REQUESTED VARIANCE RELIEF**

For an area variance, the Applicant must demonstrate that (i) the property is affected by an exceptional or extraordinary situation or condition; (ii) that the strict application of the Zoning Regulations will result in a practical difficulty to the applicant; and (iii) that the granting of the variance will not cause substantial detriment to the public good or substantially impair the intent, purpose, or integrity of the Zone Plan. *Gilmartin v. District of Columbia Bd. of Zoning Adjustment*, 579 A.2d 1164, 1167 (D.C. 1990). As set forth below, this application meets all three standards for the requested variance relief from the non-residential FAR requirement.

A. The Property is Affected by an Exceptional or Extraordinary Situation or Condition

The D.C. Court of Appeals has held that the exceptional situation or condition standard relates not just to the “land”, but to the “property” and that the “property generally includes the permanent structures existing on the land.” *Clerics of St. Viator v. District of Columbia Bd. of Zoning Adjustment*, 320 A.2d 291, 293 (D.C. 1974). The Court of Appeals has further held that an exceptional or extraordinary condition may arise from a “confluence of factors,” including conditions inherent in the pre-existing structures built on the land. *Ait-Ghezala v. District of Columbia Bd. of Zoning Adjustment*, 148 A.3d 1211, 1217 (D.C. 2016) (citing *Metropole Condo. Ass’n V. District of Columbia Bd. of Zoning Adjustment*, 141 A.3d 1079, 1082-83 (D.C. 2016)).

The Property is affected by a confluence of factors related to its history, location, existing non-conformity, and age that result in the Property being unique. First, the Building was constructed as a large single-family residence that is now a contributing building in the Sixteenth Street Historic District. This residential history includes important design features such as a large curving, central staircase and an open horizontal flow of spaces (front to back). In addition, the historic exterior of the Building remains intact and must be preserved under applicable historic preservation law.

Second, the existing Building is nonconforming as to non-residential FAR but is a contributing in the historic district. The Building’s FAR is 3.67, but the maximum

non-residential FAR in the D-2 zone is 3.5.<sup>6</sup> However, because the Building is contributing to the historic district, it cannot be partially demolished to conform to non-residential FAR.

Third, the Property is located in the core of the central business district near the White House in an area dominated by large commercial buildings, and office and institutional uses. Despite its original construction for and prior use as a single-family residence, the Building has been used as an office for approximately 83 years (since 1942).<sup>7</sup> Given the Property's prominent central business district location, there is no viable demand for using the Building again as an enormous 9,890-square foot single-family residence, and the highest and best use of this Building, given its location, is for continued office and/or institutional use.<sup>8</sup>

Finally, at nearly 120 years old, the Building has multiple outdated features that render it unsuitable for modern commercial use. The current demising of the Building does include a single space that is larger than approximately 550 square feet, and each floor is presently broken into small offices and rooms; this configuration also prevents any continuous flow of people or activity across each floor. There is no direct egress pathway on each floor, and the current rear fire egress stairway is more than 50 years old and does not satisfy current life-safety requirements. Furthermore, due to the Building's age, the Building does not meet current handicap accessibility

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<sup>6</sup> The Building conforms to the residential FAR limit, which is 6.0.

<sup>7</sup> Several building permits were filed in the early 1950s for repairs to the Building, including for a new elevator, which likely indicates that it was retrofitted for the office program at that time.

<sup>8</sup> While there is some residential use in the Square, it is multifamily residential use that resulted primarily from a large addition to an existing building. Otherwise, there is little residential use within a several block radius and no single-family residential use within any of the surrounding Squares.

requirements, so the Building is categorized as inaccessible. This includes not having an accessible entrance or a continuously accessible route inside.<sup>9</sup> The existing passenger elevator, which is more than 70 years old, does not extend to the fourth floor, meet the required accessibility clearances, or meet the life-safety Code requirements for an elevator to serve as a required accessible means of egress component.<sup>10</sup> Further, the current elevator is not sized to meet the ambulance stretcher requirements for a building that is four or more stories above grade.<sup>11</sup>

Accordingly, the Property is affected by various exceptional conditions, including its original construction as a large single-family residence, its existing nonconforming non-residential FAR, its location in the central business district driving its use as commercial, and its age and concomitant outdated and noncompliant features. The confluence of these conditions leads to the Property being unique.

**B. The Strict Application of the Zoning Regulations will Result in a Practical Difficulty to the Applicant**

The Court of Appeals has held that to demonstrate the “practical difficulty” standard, an applicant must show that “compliance with the area restriction would be unnecessarily burdensome.” *Palmer v. Bd. of Zoning Adjustment*, 287 A.2d 535, 542 (D.C. 1972). Applicants need not show “undue hardship,” but rather satisfy only “the lower ‘practical difficulty’ standard.” *Tyler v. D.C. Bd. of Zoning Adjustment*, 606 A.2d 1362, 1365 (D.C. 1992). The Court has further held that the Board may consider

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<sup>9</sup> IBC § 1106

<sup>10</sup> IBC §§ 1009.2.1, 1109.7

<sup>11</sup> IBC § 3002.4. The required horizontal dimensions of a compliant elevator are 24” x 84”.

a “wide range of factors in determining whether there is an ‘unnecessary burden’ or ‘practical difficulty,’” including “the weight of the burden of strict compliance.” *Gilmartin*, 578 A.2d at 1171.

The Applicant would be burdened with a practical difficulty if it were required to comply with the non-residential FAR limit. Without the requested FAR variance relief, the Applicant would be unable to accommodate the essential proposed multipurpose room on the second floor of the Building. The multipurpose room is the most critical feature of the Project: a large, flexible, rectangular-shaped space that can accommodate myriad functions. Indeed, this space is vital to one of Hoover’s core functions in Washington: hosting live speaking events (lectures, seminars, discussions, panels, dinners, etc.) regularly featuring high-profile guests and dignitaries, but that are often open to the public.

The value and utility of the multipurpose room for hosting these events is what makes the Building and the Project relevant to Stanford and Hoover. Without the multipurpose room – a single uniformly-shaped space that is approximately 1,000 square feet – the Building would not be adequate for Hoover and would raise serious doubts about Stanford’s willingness to proceed with the Project.

#### *1. Hoover’s Minimum Space Needs*

Hoover’s space needs are based on its experience and mission. Hoover currently leases space in another downtown building where it hosts the same variety of live events that are planned for the Building. These events regularly draw approximately 100 people in seated rows and approximately 72 people seated at tables. Accordingly,



in the Building, Hoover needs a flexible space large enough to accommodate approximately the same number of people for such events in order to satisfy that aspect of its mission.

Hoover and the design team studied numerous event layouts and configurations for the Building to develop the programmatic and special space requirements reflected in the Project. Per the International Building Code (“**IBC**”), the occupancy category for the proposed second floor multipurpose room is “assembly.”<sup>12</sup> This categorization results from the occupancy count of 100 (seated) / 72 (tables) people.<sup>13</sup> Under the assembly occupancy category, the IBC dictates a space requirement factor of 7 square feet per person (seated rows configuration) and 15 square feet per person (seated at tables configuration).<sup>14</sup> In order to accommodate a typical event with 100 guests, up to 6 panel members, and roughly 4 staff members running the audiovisual requirements, the required square footage is approximately 770 SF is required for just for the people. That figure does not include the additional required space for life-safety egress (roughly 15%, or 150 SF) and a stage (minimum of 48 SF). The summation of these areas is approximately 1,000 SF. For a seated dinner that can accommodate approximately 72 people, 1,080 SF would be required. Thus, based on Hoover’s programmatic necessity for the number of people and the applicable assembly occupancy requirements, a minimum of approximately 1,000 square feet is needed for the multipurpose room.

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<sup>12</sup> IBC § 303.1

<sup>13</sup> As described above, the ability to accommodate this number of people is essential to Hoover and its undertaking this Project.

<sup>14</sup> IBC Table 1004.1.2

There is no single space currently in the Building even close to 1,000 square feet. Therefore, a significant interior reconfiguration and modernization of the Building is necessary to both accommodate this 1,000-square foot space and to satisfy Code-compliant egress and accessibility requirements.

## *2. Life Safety and Accessibility Requirements*

Because of its age and original construction as a residential building with outdated improvements, the Building does not conform to current requirements for life-safety egress and handicap accessibility. Under the “assembly” occupancy category for the necessary size of the multipurpose room (see above), the second floor of the Building must have two Code-compliant egress stairways. The existing rear egress stairway is non-compliant. The current stair runs are only 36 inches wide each, but they are required to be at least 44 inches wide under Code.<sup>15</sup> In addition, the required stair landing depths of at least 44 inches are required but are not provided with the current rear egress stairway.<sup>16</sup> Finally, based on the occupancy load for the proposed second floor, the Code requires two egress stairways that must be horizontally separated by at least 22 feet.<sup>17</sup>

As described above, due to its age and history, the Building is currently deemed inaccessible since it does not satisfy multiple accessibility requirements. Accordingly, significant upgrades, interior reconfigurations, improvements are necessary to modernize the Building and make it accessible regardless of interior space

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<sup>15</sup> IBC § 1011.2.

<sup>16</sup> IBC § 1106.1

<sup>17</sup> IBC § 1107.1.1

configurations. Importantly, no matter the occupancy category, the current elevator does not meet accessibility requirements, and it must be extended to the fourth floor in any event. Thus, a new, modern, and larger elevator is necessary for accessibility under any scenario.

### *3. Satisfying Egress and Accessibility Requirements Not Feasible without Variance*

Put simply: it is infeasible to include two Code-compliant egress stairways that meet the required separation distance of at least 22 feet without sacrificing some of the necessary space for the multipurpose room, without compromising key goals of the Project, or without significant structural challenges. While the historic central stairway meets Code, the rear stairway does not and must be replaced. A stairway with the required width runs cannot be in the same rear location because it would occupy more space and would not allow for the 1,000-square foot multipurpose room that is the lynchpin of the Project.

One of the important goals of the Project is to preserve and highlight the historic characteristics of the Building by returning it to more of what it was historically as a residential building (three room configuration per floor, for example), and Hoover's plans go to great lengths to ensure this. Achieving this goal means that the current center historic stairway must remain as one of the most prominent interior features of the Building. Having already taken this Project through HPRB, Hoover greatly emphasized retaining this grand curving stairway. While this stairway is not an exterior feature, the District and Hoover nevertheless have a

strong interest in retaining it to achieve the best preservation of the Building. Removal of the center historic stair is tantamount to removing much of the Building's history, which neither Hoover nor the District want to do. Thus, retaining the historic center stairways is an essential element of the Project to achieve preservation, feasibility, and constructability goals.

In addition to the preservation goals, it would be highly impractical, wasteful, and inefficient to remove the historic center stairway since it already complies with the width requirements for egress. This is in addition to the structural enhancements and construction challenges that would accompany removing or moving the historic stair: costly and temporary shoring would be required for maintaining structural integrity; steel frames would need to be added for additional support; extensive redesign of floor layouts would be necessary to achieve usable spaces and functional circulation; and new wall and floor penetrations would further erode the grandeur and utility of the interior spaces. Also, because of its size (approximately 4 feet wide) and curvature, the historic stairway cannot be moved elsewhere in the 27-foot-wide Building without resulting in the same problem of not being able to accommodate the requisite 1,000 SF multipurpose room. Therefore, removing the historic center stairway would result in a practical difficulty to the Applicant.

Accordingly, since removing the historic center stairway is not a feasible option, Hoover and the design team studied how to locate a second required egress stair that satisfies the minimum required 22-foot separation from the historic stairway and determined that is not feasible without jeopardizing the Project and its

goals, thereby resulting in another practical difficulty. The illustration on page 8 attached in Exhibit A shows that, with retaining the historic center stairway, the only placement of the second stairway that satisfies the 22-foot separation would be at the rear of the Building (identified as Option 2 in Exhibit A).<sup>18</sup> This second stair would consume approximately 240 square feet of the multipurpose room, rendering it too small for Hoover's needs. There is no orientation or location of this second stairway at the rear of the Building that maintains the minimum 22-foot separation that does not have this result.

Even if, *arguendo*, the historic center stairway were removed, one of the required egress stairways would need to be located in the center of the Building in any event to comply with the minimum 22-foot separation distance from the second stairway. Shown in both Scenarios 1A and 1B in Exhibit A, this theoretical replacement center stairway, depending on its orientation, would result in the new accessible elevator being compromised, circulation between the front and back being impeded due to structural walls, additional north-facing windows being obstructed, and intrusion into the necessary space for the multipurpose room.

In addition, the Scenario 1A and 1B illustrations in Exhibit A demonstrate that any placement of the second egress stairway, which would have a footprint of 240 square feet, within the existing structure would result in a cascade of effects that would compromise Hoover's program for hosting events, the suitability/usability of interior spaces, and an inability accommodate accessibility requirements.

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<sup>18</sup> There is no location at the front of the Building that would be separated from the historic stairway by at least 22 feet.

Located at the front (shown as Scenario 1A in on page 4 in Exhibit A), the second stairway would impede the Building's historic entrance at the first floor by reducing clearance and blocking part of the historic front doorway. On the second floor located at the front, the second stairway would block front- and north- facing windows, which means these windows would need to be replaced with 2-hour rated windows that do not match HPRB-approved and historic compatible window profiles. In addition, the historic fireplaces would have to be removed, adding additional demolition challenges and a loss of more of the interior historic character of the Building. Also, locating the second stair at the front would consume most of the area for the planned front conference room, which would be the loss of another gathering space important to Hoover's program.

Also in this configuration (Scenario 1A), as shown on page 5 of Exhibit A, the roof plan of the Building would become further nonconforming and potentially inconsistent with the HPRB approval. The two stairway towers needed to access the roof would be located at the far north edge of the roof without any required setbacks. Also, the chimneys would need to be demolished, which would be inconsistent with the HPRB approval and general historic requirements to retain the Building's exterior features.

Alternatively, if the second required stairway were located at the rear of the Building, then it would no longer be able to accommodate the multipurpose room at its necessary size. As shown in Scenario 1B on pages 6-7 in Exhibit A, the multipurpose room could not feasibly be shifted to the front of the Building for several

reasons. First and most importantly, the front of the Building includes several load bearing walls necessary for the upper floors that would impede the ability to have a uniform, open space for the multipurpose room. Removing or altering these load bearing lateral masonry walls would introduce significant construction challenges by requiring a large amount of steel structure and concrete underpinning to resist lateral loading, which ultimately risks to the structural integrity of this 120-year-old building. Also, as shown on page 7 of Exhibit A, much of the office and administrative space on the third and fourth floors would be lost. None of these significant challenges would result with the second stairway located outside the rear of the Building, as proposed with the requested variance relief.

Thus, there is no reasonably feasible means to locate two new Code-compliant required egress stairways within the existing structure in an efficient, functional, structurally-sound, and historically sensitive way. As shown on page 9 in Exhibit A, under any scenario where both required stairways are within the existing structure, the impact to the roof plan would be adverse both aesthetically (likely incompatible with the historic building) and in terms of lacking any setbacks from roof edges. Accordingly, the only viable location for the required second egress stairway, while preserving the historic center stairway, that will both comply with the separation requirement and not result in litany of programmatic, functional, construction, or preservation challenges is at the exterior rear of the Building, as proposed with the Project.

The strict application of the Zoning Regulations to prohibit a nominal amount of additional non-residential FAR would severely impair Hoover's ability to use the Building for its specific programming needs, a critical component of which is the flexible multipurpose room that can accommodate approximately 100 seated guests. Accordingly, the strict application of the Zoning Regulations would result in a practical difficulty to Hoover by compromising the multipurpose room and preventing any expansion to the Building, which is critical to accommodate its intended use and occupancy.

C. The Granting of the Variance will not Cause Substantial Detriment to the Public Good nor Substantially Impair the Intent, Purpose, or Integrity of the Zone Plan.

The third prong of the variance test requires the Applicant to demonstrate that "granting the variance will do no harm to the public good or to the zone plan." *Gilmartin*, 579 A.2d at 1167. The requested variance can be granted without causing any adverse impact on the neighboring properties or to the zone plan.

First, the requested variance relief would not be necessary if the Building were being used for residential purposes, meaning that the overall density proposed is consistent with the intent of the Zoning Regulations and zone plan and would not tend to adversely affect neighboring properties. In other words, the proposed massing of the Building with the variance relief – which would affect neighboring properties equally despite use – is deemed to be acceptable under the Zoning Regulations.

Second, the requested FAR relief will not result in more gathering space or functional floor area. The requested relief only is to accommodate the GFA that is



added by the second rear stairway that would be used solely for secondary egress. Thus, granting the requested relief will be consistent with the intent of the Zoning Regulations to limit functional non-residential floor area.

Third, the requested relief is for the minimum amount possible. As shown on the Plans, the proposed exterior rear stairway will extend only to the second floor. Above the second floor (and the multipurpose room), the stairway will be inside the existing Building structure. The Applicant carefully designed the rear stairway and the interior layout so that it would add massing and GFA and only where essential to preserve the necessary floor area of the multipurpose room. Thus, the proposed rear stairway's impact on the light, air, and privacy available to neighboring properties will be minimal since it will not extend the full height of the Building.

Finally, granting the requested variance relief will have an economic development benefit to the District and the neighborhood by modernizing and preserving a unique historic building that will host events featuring policy experts, leaders, luminaries, and other notable guests, that largely will be open to the public. Once renovated as proposed, the Building also will regularly draw scholars and staff members to downtown. All these activities will be important for drawing people to boost business at local downtown hotels, retailers, and restaurants.

Granting the variance relief to allow this unique historic Building to be renovated in a way that satisfies Hoover's goals and mission will allow Stanford and the Hoover Institution to further their commitments to public service, policy research, and educational outreach in the nation's capital. Granting this minor amount of FAR

relief will not adversely affect light, air, or privacy at neighboring properties. Accordingly, the granting of the variance will not cause substantial detriment to the public good nor substantially impair the Zone Plan.

## **VI. EXHIBITS**

- Exhibit A – Illustrations of Theoretical Stairway Placements
- Exhibit B – Resume of Ralph Cunningham, proffered as an expert in architecture.

## **VII. CONCLUSION**

For all the above reasons, the Applicant has satisfied the standards for the requested special exception and variance relief in this case and requests approval for such relief.

Respectfully Submitted,

/s/  
Cary R. Kadlecek  
GOULSTON & STORRS PC

## CERTIFICATE OF SERVICE

I hereby certify that the foregoing statement and accompanying exhibits were sent to the following by email on October 20, 2025:

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