

BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

APPLICATION OF:
1312 18TH STREET ASSOCIATES LLC

FOR PROPERTY LOCATED AT:
1312 18TH STREET NW
SQUARE 0137, LOT 0043

STATEMENT OF THE APPLICANT

I. INTRODUCTION AND NATURE OF RELIEF SOUGHT

This Statement is submitted on behalf of the Applicant, 1312 18th Street Associates LLC (the “Applicant”), owner of the property located at 1312 18th Street NW, Washington DC 20036, Square 0137, Lot 0043 (the “Property”). The Property is zoned MU-21.

The Applicant seeks special exception relief from subtitle G § 605.3 for rear yard requirements and from subtitle G § 606.2 for side yard requirements. This Statement is submitted in support of this application for special exception relief, pursuant to 11 DCMR Subtitle X § 901.2 and Subtitle G § 1201.

II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the “Board”) has jurisdiction to grant the special exception relief requested herein pursuant to Subtitle X § 901.2 and Subtitle G § 1201 of the District of Columbia Zoning Regulations of 2016.

III. THE PROPERTY

THE PROPERTY AND SURROUNDING NEIGHBORHOOD

The Property is located in the Dupont Circle neighborhood in Northwest DC and, as such, is in the Dupont Circle Historical District. The Property is zoned MU-21 as detailed on the map in Exhibit A and consists of approximately 2,277 SF of land area. The Property is currently improved with a 5-story

masonry building with historical features. According to History Quest DC¹, the building located at 1312 18th Street was built in 1890 and is contributing to the Dupont Circle Historic District. The property was previously used as office space.

The Property is bound by a mix of historic masonry buildings used for commercial, club, and retail purposes to the north, west, and south and by 18th Street to the east. These adjacent structures range from three to five stories and have high to full lot coverage. Just beyond the westernmost adjacent buildings is Connecticut Avenue, a bustling retail corridor.

Located just south of Dupont Circle, the neighborhood is typified primarily by a mix of retail, commercial, and office uses. A number of restaurants, clubs, and cafes line the street corridor along 18th Street and Connecticut Avenues. Within the immediate neighborhood district there is a mix of lower scale historic buildings and large-scale modern office buildings. The majority of this block is comprised of lower density historic buildings.

THE PROPOSED DESIGN

The Applicant wishes to convert the 5-story historic office building into a 15 unit inn; this proposed work shall herein be referred to as the “Project”. The majority of the project will be an interior renovation except for a small addition at the rear to accommodate a second stair and ensure code compliance and a second egress and the addition of vestibule at the front. Architectural plans for the Project are provided in Exhibit C. Except for the requested relief, the improved building will abide by all other mass and use zoning requirements.

IV. SUMMARY OF REQUESTED RELIEF SOUGHT AND THE STANDARD OF REVIEW

SUMMARY OF REQUESTED RELIEF

¹ See Exhibit B

Currently the project is improved by one historic stair, located in the center of the historic building. In order to convert the property from office use to residential use and satisfy building code requirements, a new code-complaint fire stair needs to be added to the rear of the property as a second means of egress.

Since the building is currently contributing to a historic district, a significant amount of the structural elements must be retained². Thus, in working with the historic office to minimally impact and retain a significant portion of the building's structure and in meeting the code requirements for adequate stair separation distance as defined by the IBC 2015, the design team has located the ideal and only place for the second means of egress to occur in the rear. Currently, there is an existing two-story non-historic rear addition that sits within the required rear yard. It houses an existing non historic stair that connects the first and second floors and provides additional rear egress out of the building.

The proposed new addition will sit atop this existing addition and will extend up six floors. The addition's presence on the sixth floor will be small and will just exist to provide mechanical roof access as required by code. The proposed addition will primarily stay within the confines of the existing rear addition's footprint except for the north and south walls which will be moved out an additional two and three feet respectively. Rear egress out of the building will be maintained.

STANDARD OF REVIEW

Per the 2016 DC Zoning Regulations, Subtitle X § 901.2, an applicant may request relief provided that the proposed project:

- 1) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;
- 2) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

² As set forth in the Historic Landmark and Historic Protection Act of 1978

- 3) Will satisfy the special conditions set forth in Subtitle X § 901

V. APPLICANT MEETS BURDEN FOR SPECIAL EXCEPTION RELIEF

THE RELIEF IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING REGULATIONS AND ZONING MAPS

The Applicant is requesting relief to redevelop the Property into a use, lodging, that is consistent with the intent of the zoning regulations and zoning map. One of the goals of the Dupont Circle mixed use zones, which the MU-21 is in, is to ‘protect the integrity of “contributing buildings” as that term is defined by the Historic Landmark and Historic District Protection Act of 1978’. In renovating the Property, the Applicant will restore and preserve the historic street facing exterior façade. Additionally, the Applicant is seeking special exception relief in order to protect the historic integrity of the Property by adding the required second means of egress to the rear with minimal disruptions to the building’s historic structural integrity. This small rear addition will not be visible from the street. Moreover, the scale of the proposed addition is ‘consistent with the nature and character of the Dupont Circle area in height and bulk as defined in the purpose and intent of the Dupont Circle mixed-use zones in G § 600.1.

THE RELIEF WILL NOT TEND TO AFFECT ADVERSELY THE USE OF NEIGHBORING PROPERTY

The proposed stair will not adversely affect the use of neighboring property. Currently, there is an existing two-story egress stair located in the rear yard. The proposed new addition will be built primarily atop the existing rear addition’s footprint and, as such, will minimally impact the neighboring property since an addition already exists in this location.

Additionally, the uses in the adjacent buildings- retail, restaurant, commercial, club- are all uses that would be minimally impacted from the proposed addition. Specifically, there are only two buildings- 1327 Connecticut to the west and 1329 Connecticut to the northwest- with windows that face the

Property's rear yard. These are the only two adjacent buildings that would have visibility into the Property's rear yard but the onlooking windows on both buildings appear to be covered³. A club appears to be situated on all floors of 1327 Connecticut; the rear windows of this building appear to front a deck primarily used for janitorial storage⁴. The windows in 1329 Connecticut are situated on the property line and appear to be boarded up. Based on google searches and looking at certificate of occupancies for this building, the Applicant believes this building to only house commercial and retail uses and, as such, would be minimally impacted by the proposed addition. That said, the Applicant only found one office certificate of occupancy for this property, believed to be a historical certificate of occupancy, for an office on part of the second floor⁵ but, there appears to be no window on the second floor in 1329 Connecticut that fronts the Property.

Lastly, with this approved special exception relief, the owners of 1312 18th street will be able to renovate the existing building and courtyard. Currently the courtyard is a storage area for rat extermination equipment and trash collection bins. The renovation will transform this outdoor space used as a storage area into a space that can be used by inn guests and is attractive given it is visible from rear facing windows.

THE PROJECT MEETS THE SPECIAL CONDITIONS SET FORTH UNDER SUBTITLE G §
1201

1) No apartment window shall be located within forty feet (40 ft) directly in front of another building.

No apartments are proposed in the Project. No apartment windows look into the rear yard where the Proposed additional will go.

³ Refer to pictures in the Architectural presentation (Exhibit C)

⁴ Refer to pictures in the Architectural presentation (Exhibit C)

⁵ Available in DC's register of certificate of occupancies

- 2) *No office window shall be located within thirty feet (30 ft) directly in front of another office window, nor eighteen feet (18 ft) in front of a blank wall.*

Office use is not proposed for this project. As mentioned above, none of the surrounding windows are believed to be office.

- 3) *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards.*

Sight lines out of units face the street, blank walls, or the windowless balcony, currently used for storage that fronts the Property's rear property lot line.

- 4) *Provision shall be included for service functions, including parking and loading access and adequate loading areas.*

No parking is needed for this site and will not be provided. Per Subtitle C § 704.2, § 802.6, and § 901.7, a historic resource is exempt from parking and loading requirements provided the addition is less than 50% of the building's existing gross floor area. At just under 1,000 SF, the proposed addition in the Project is less than 50% of the building's existing gross floor area of roughly 8,000 SF. Furthermore, the lot is landlocked and could not provide onsite loading or parking functions.

- 5) *Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.*

The Applicant is coordinating and will continue to coordinate with all relevant agencies, namely the Office of Planning and the Historic Preservation Office.

VI. COMMUNITY OUTREACH

Upon submission of this application to the Board of Zoning Adjustment, the Applicant began the neighborhood outreach process. The Applicant presented at both ANC 2B's zoning and at-large meetings. At both meetings, no objections were made to the Project and the ANC voted to support the Project. The Applicant has also reached out to various surrounding neighbors and has received one letter of support from one of the adjacent building owners. This letter of support has been uploaded to the case record. The Applicant has also presented the Proposed plans with the Palladium, the residential building directly across the street from the Project.

VII. CONCLUSION

For the reasons laid out above, the requested relief meets the applicable standards for zoning relief under the DC 2016 Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the Application.

Respectfully submitted,



Megan Downey, AIA

EXHIBIT A

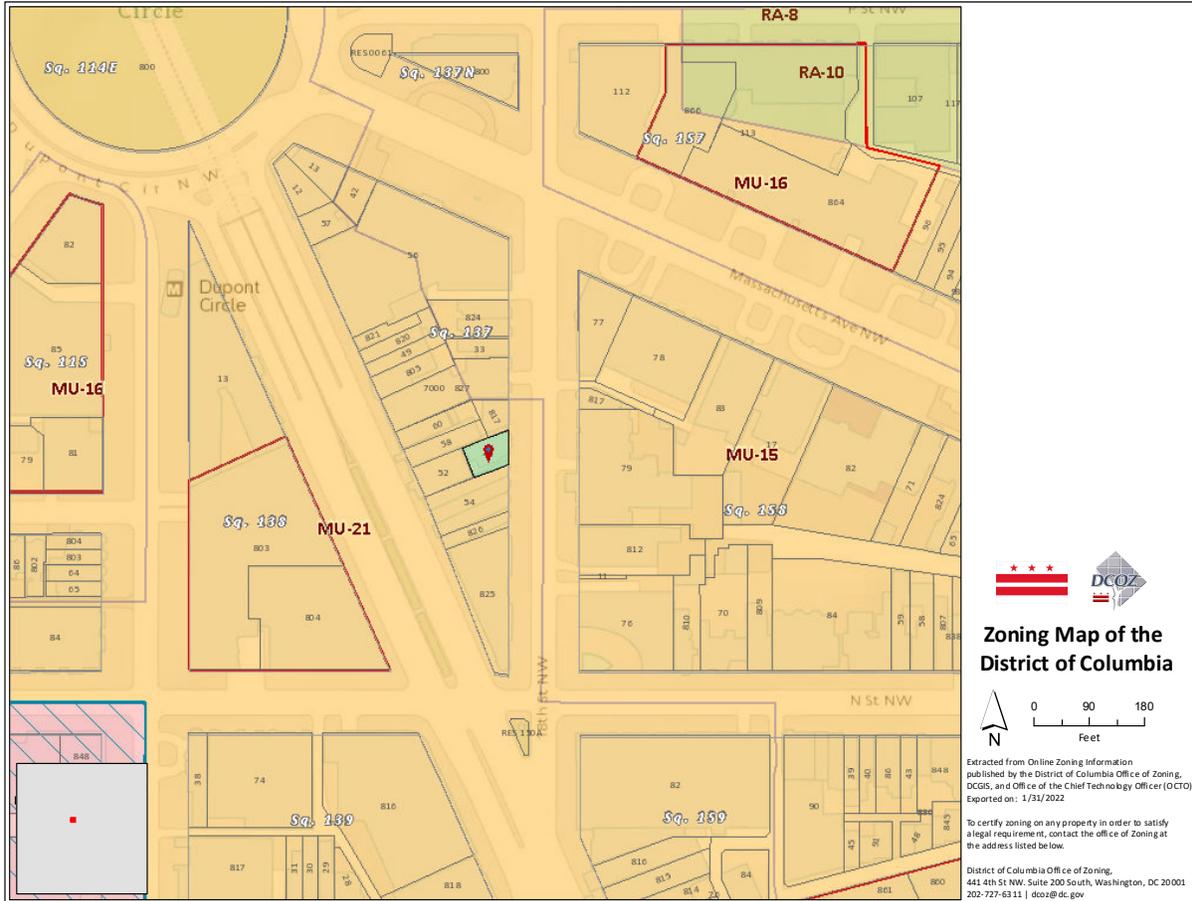


EXHIBIT B

