

December 21, 2022

VIA IZIS

Chairman Fred Hill
D.C. Board of Zoning Adjustment

Re: BZA Case No. 20841 – Applicant’s Supplemental Information

Dear Chairman Hill and Members of the Board:

The above-referenced case is scheduled for a public hearing on January 11, 2023. The Applicant is requesting special exception relief for lodging use and from the rear yard requirement to allow the conversion of and addition to an existing building for an inn with 62 guest suites at 1322-26 18th Street NW.

1. Additional Information in Support of Special Exception for Lodging

One of the criteria under Subtitle U § 504.1(f) that the Applicant must satisfy for approval of lodging use in this zone is that *“[the] approval of the lodging use shall result in a balance of residential, office, and lodging uses in the applicable zones in the vicinity of the lodging use”* (§ 504.1(f)(3)). As set forth in the Applicant’s initial statement and as explained further below, the Property is well-suited for lodging use given its site characteristics and mix of commercial, institutional, and residential uses within its vicinity.

The Property is located within the MU-15 zone, just south of Massachusetts Avenue. The origins of the MU-15 zone derive from the former Special Purpose (SP) zones, namely SP-1 and SP-2, under the 1958 Zoning Regulations. A primary purpose of the former SP zones was to serve as a buffer between the higher-density commercial zones of downtown and south of Massachusetts Avenue and the predominately moderate- to medium-density residential areas to the north of Massachusetts Avenue. The former SP zones also sought to establish an appropriate transition through compatible uses, and by controlling the scale, location, and density of commercial and residential development. The purposes of the current MU-15 zone embody all these stated purposes.

From a use perspective, the Property is an ideal location for a modestly sized lodging use. As shown on the map in the attached Exhibit A, the Applicant conducted a detailed analysis of existing land uses to gain a sense of the existing distribution of residential, office, and lodging uses in the vicinity of the Property. The table below shows the general distribution of each land use within $\frac{1}{4}$ mile of the Property:

Use	% of Total Properties
Residential	50.3%
Commercial	42.8%
Institutional	2.7%
Recreation / Open Space	2.2%
Lodging	2.0%

As shown in Exhibit A, the block in which the Property is located is predominantly devoted to commercial uses, as is similarly the case for most of the properties to the south. To the north, the predominate land use becomes residential, except for the properties immediately around Dupont Circle. Indeed, only approximately 2.0% of the properties located within $\frac{1}{4}$ mile of the subject property are currently devoted to lodging use. Thus, the proposed lodging use will maintain the balance of residential, office, and lodging uses in the vicinity of the Property, particularly given its modest size.

The proposed lodging use will arguably bring the Property more into conformance with the purposes of the MU-15 zone, and in particular the notion of serving as a transition between the commercial uses south of Massachusetts Avenue and the residential uses to the north of Massachusetts Avenue. Given its modest size and lack of any function rooms, exhibit space, or restaurant, the proposed inn will function largely like a residential use despite it technically being a non-residential use. Further, as discussed in the Applicant's initial statement,¹ there are several institutions near the Property that generate significant demand for transient accommodations, and the Dupont Circle neighborhood is an area that historically has been attractive to visitors given its numerous amenities. The proposed lodging use can help accommodate the demand for transient accommodations in the area, thus helping to maintain the balance of uses in the vicinity by relieving demand for short-term rentals in the nearby residential neighborhood.

¹ See Exhibit 8 of the case record.

2. Additional Information in Support of Rear Yard Special Exception Relief

In response to a request from the Office of Planning, the Applicant submits the plans, drawings, and photographs in Exhibit B in further support of the rear yard relief. As shown, the proposed addition to the rear of the existing building will not result in adverse impacts to the adjacent properties to the rear because of the ample setbacks of those buildings from their rear property lines, and the proposed irregular rear yard will still result in ample light and air to the rear of the Project. Indeed, as shown in the Applicant's initial application materials, the average depth of the proposed rear yard will be 12.5 feet, when 12 feet is required, and the area of the proposed rear yard will be nearly the same as the area of a rear yard with a regular depth.² The result is that the impact – or absence thereof – of the proposed rear yard will be substantially similar to a conforming rear yard.

3. Proposed Conditions of Approval

Per its agreement with the ANC, the Applicant proposes two conditions of approval:

- i. The Applicant will lease two (2) off-site parking spaces within 500 feet of the subject property for use by the building's staff.
- ii. The Applicant will post on the building's front door and provide to the ANC a phone number for neighbors to contact the lodging operator regarding concerns/complaints about guests.

4. Hearing Witnesses

We plan to have three witnesses presenting at the public hearing: (1) Julio Murillo, property owner and developer; (2) Sean Pichon, project architect, PGN Architects; and (3) Shane Dettman, urban planner, Goulston & Storrs. Mr. Dettman is being proffered as an expert in urban planning, and his resume is included as Exhibit C.

We look forward to presenting this application to the Board. Should you or your staff have any questions in the meantime, please do not hesitate to contact me.

Sincerely,

/s/
Cary R. Kadlecek

² See sheet A.00.2 of Exhibit 6 in the case record.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 21, 2022 copies of the foregoing letter and accompanying exhibits were delivered via email to the following:

Jonathan Kirschenbaum
D.C. Office of Planning
jonathan.kirschenbaum@dc.gov

ANC 2B
2b@anc.dc.gov

_____/s/_____
Cary Kadlecek