

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Jonathan Kirschenbaum, AICP, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: December 29, 2022

SUBJECT: BZA Case 20841 (1322-26 18th Street, NW) to permit the conversion of an existing four-story institutional building into a five-story building for lodging use.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Rear Yard, Subtitle G § 605.1, pursuant to Subtitle G § 1201.1 (12 feet minimum required; existing rear yard varies; proposed rear yard varies from 2 feet 7 inches to 33 feet 6 inches); and
- Lodging Use, Subtitle U § 504.1(f), pursuant to Subtitle X § 901.2, (lodging use only permitted via special exception; no lodging use existing; 62 room lodging use proposed).

II. LOCATION AND SITE DESCRIPTION

Address	1322-26 18 th Street, NW
Applicant	Inmobiliaria LLC
Legal Description	Square 137, Lots 33, 36, 53
Ward, ANC	2, 2B
Zone	MU-15, intended to permit moderate-density mixed use buildings
Historic District	Dupont Circle
Lot Characteristics	Three irregular-shaped interior record lots together measuring 69.5 feet by approximately 103 feet.
Existing Development	The property is improved with three inter-connected four-story buildings that were last used as a private school.
Adjacent Properties	Mixed-use buildings.
Surrounding Neighborhood Character	Mixed-use.
Proposed Development	The applicant proposes to convert an existing institutional building into a 62-room lodging use for which special exception relief is required. Special exception relief is also required from the rear yard requirements to construct both a four-story rear addition for the existing building as well as a new fifth floor addition.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

MU-15 Zone	Regulation	Existing	Proposed	Relief
Lot Width	None prescribed	69 ft. 6 in.	No change	None Required
Lot Area	None prescribed	6,189 sq. ft.	No change	None Required
Height G § 603.1	65 ft. or 70 ft. (IZ) max.	Not provided by applicant	55 ft. 8 in.	None Required
Floor Area Ratio G § 602.1	4.0 or 4.8 (IZ) max.	Not provided by applicant	4.0	None Required
Lot Occupancy G § 604.1	None prescribed for non-residential use	Not provided by applicant	84%	None Required
Rear Yard G § 605.1	12 ft. min.	Not provided by applicant	Varies - 2 ft. 7 in. to 33 ft. 6 in.	Special exception relief
Side Yard G § 606.1	No side yard required.	0	0	None Required
Parking C § 704.2	None required	0	0	None Required
Lodging Use U § 504.1(f)	Permitted by sp.ex.	Institutional	Lodging	Special exception requested

IV. OFFICE OF PLANNING ANALYSIS

A. Special Exception Relief from Subtitle G § 605.3, Rear Yard.

- i. Is the special exception in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

The intent of the rear yard requirement is to ensure sufficient space, light, air, and privacy between buildings. Given the diagonal direction of the rear lot line and the straight direction of the rear wall building line with multiple setbacks, the proposed rear yard varies greatly in depth ranging from 2 feet 7 inches to 33 feet 6 inches. Overall, the average rear yard setback proposed would be 12 feet 6 inches, which is slightly more than the minimum required. Further, the adjoining rear of properties that front onto Connecticut Avenue, NW have diagonal rear wall building lines, which creates further distance between their rear walls and the proposed rear wall of the subject property (Exhibit 6, Sheet A.11). Exhibit 15B, Sheet A.11 demonstrates that at a minimum there would be over 16 feet 8 inches of separation between the proposed rear building wall and the adjoining rear building walls along Connecticut Avenue, NW, which should be sufficient.

- ii. Would the special exception appear to tend to affect adversely, the use of neighboring property?*

The proposed rear addition would vary in size and would be sufficiently separated from rear building walls on adjoining lots as discussed above. Further, the overall height of the building would be well under what is permitted as a matter-of-right, which will help provide additional light and air to the lower stories of buildings along the shared rear property line.

iii. Would meet such special conditions as may be specified in this title?

Subtitle G § 1201.1 provides additional special criteria for rear yard relief:

- a. No apartment window shall be located within forty feet (40 ft.) directly in front of another;*

There are no apartment windows proposed for this building.

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

There are no office windows proposed for this building.

- c. 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;*

As discussed above, the adjoining rear of properties that front Connecticut Avenue NW have diagonal rear building lines, which creates further distance between their rear walls and the proposed rear wall of the subject property (Exhibit 6, Sheet A.11). Given that the rear walls are not parallel, there should be more privacy provided because there would be fewer direct sight lines.

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

Parking is not required pursuant to Subtitle C § 704.2 and loading is not required pursuant to Subtitle C §§ 901.1 and 901.7.

- e. 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.*

This property is located within the Dupont Circle Historic District. This building has received HPRB concept approval.

B. Special Exception Relief from Subtitle U § 504.1(f), Lodging Use.

(f) Lodging for any number of guests, subject to the following conditions:

- 1. The height, bulk, and design of the lodging use shall be in harmony with existing uses and structures on neighboring property;*

The proposed lodging use in this building would be in harmony with existing uses and structures on neighboring properties with regards to height, bulk, and design as it would be located along a mixed-use street with buildings varying in both height and size. The total proposed height of the building would be approximately 10 feet less than the maximum height

permitted by the zone and the building would cover 84 percent of the lot where the zone allows up to 100 percent coverage.

2. *To ensure that the height, bulk, and design is in harmony with existing uses and structures on neighboring property, the Board of Zoning Adjustment may require special treatment in the way of design, building setbacks, screening, landscaping, sign controls, and other features as it deems necessary to protect neighboring property;*

This building has been reviewed by HPRB and received concept approval on May 26, 2022. OP does not recommend any additional treatment so long as the applicant complies with the HPRB recommendation that the final revision of the design address comments provided in the HPRB staff report, with final approval delegated to Historic Preservation staff.

3. *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;*

At Exhibit 15A, the applicant submitted a map of existing uses around the area of the proposed lodging use, based on a ¼ mile radius. The map indicates there is an appropriate balance of commercial, residential, and lodging uses in the area. The location of the proposed lodging use would not be overly concentrated with other lodging uses, and residential and commercial uses exceed the number of lodging uses in the area.

4. *The gross floor area devoted to function rooms and exhibit space shall not exceed fifteen percent (15%) of the gross floor area of the hotel;*

The applicant does not propose to provide function rooms or exhibit spaces.

5. *The lodging use shall be located within one thousand three hundred feet (1,300 ft.) of the Central Employment Area or a Metrorail station as measured from the entrance of the lodging use closest to the main lobby and guest registration desk to the edge of the Central Employment Area or the entrance to the Metrorail station, following public rights-of-way;*

The Dupont Circle Metro Station south entrance is located approximately 800 feet away from the subject property, following public rights-of-way.

6. *The Board of Zoning Adjustment may require more or less offstreet parking spaces and loading berths than required by this title to accommodate the activities of the lodging use, so as to avoid unduly impacting parking or traffic on the surrounding streets; and*

Given the proximity of the proposed lodging use to multiple public transportation options, the general mixed-use nature of the neighborhood and the lack of on-site staff or amenities, there should not be a high demand for on-site parking spaces or loading. Further, the proposed lodging use does not have either a parking or loading requirement under zoning. The applicant has stated that linens would be cleaned off-site and delivered approximately once per week. Rooms would not receive daily cleaning service and would only be cleaned after check-out, which the applicant anticipates would result in cleaning four times per month per room. To

address any parking needs required by the staff, the applicant has proposed to lease two off-street parking spaces within 500 feet of the property.

7. *The location and design of driveways, access roads, and other circulation elements of the lodging use shall be located to avoid dangerous or other objectionable traffic conditions;*

There are no proposed driveways or other circulation elements associated with the property.

V. OTHER DISTRICT AGENCIES

No comments were received from other District agencies at the time this report was filed to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

ANC 2B filed a report in support to the record at Exhibit 14.

VII. COMMUNITY COMMENTS TO DATE

No comments had been filed to the record from the community at the time this report was filed.

Location Map

