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ZONING CODE REVIEW

January 18, 2021

Project: Nick DelleDonne, President
Dupont East Civic Action Association, (DECAA)
Masonic Temple Project Zoning Appeal
1733 16th St. NW, Washington DC

Dear Nick DelleDonne,

We have researched the applicable Zoning Codes as they relate to your Masonic Temple Project Zoning Appeal. The Temple, located at 1733 16th Street, N.W., Washington, D.C., is a historic building that is a designated District of Columbia Landmark and a contributing building within the Sixteenth Street Historic District.

Please note, this report is based on the following available documents outlining the intent of the project proposed by Perseus-TDC for the site located at 1733 16th St. NW, Washington DC, including the DCRA Determination Letter dated 10-30-2018 (which includes a Disclaimer at the end of the letter), the drawings developed by Hickok Cole and made public by the Developer Perseus - TDC through their Historic Preservation Review Board Package Revision-B dated 02-28-2019 in which the developer identifies the intended revision of the existing Scottish Rite Temple buildings site frontage for Zoning purposes, altering the front yard from the West yard of the existing building to the North yard and the subdivision application approved by the Office of the Zoning Administrator on November 19, 2020 and recorded later that day.

Following is a report of the summary of our findings.
My resume and credentials have also been attached as Exhibit 1.

General Process of Zoning Review:

Based on review of the DCRA Determination Letter dated 10-30-2018, it appears the review performed by DCRA was focused on the new development to be located at the East end of the proposed, to be newly partitioned lot. However, no comprehensive review appears to have been performed for the existing/remaining West Property. Per 11-A-101.6 a full review should be performed on the remaining West lot.

11-A-101.6 Where a lot is divided, the division shall be effected in a manner that will not violate the provisions of this title for yards, courts, other open space, minimum lot width, minimum lot area, floor area ratio, percentage of lot occupancy, parking spaces, or loading berths applicable to that lot or any lot created.

It is our opinion that a full review of the remaining West lot with the existing Scottish Rite Temple, by the Zoning Administrator, with regards to Zoning compliance to show the proposed revision does not create a nonconforming condition at the remaining West lot and Temple building would be proper due diligence prior to permitting such a lot division and associated new development.

Further, the Zoning DCRA Letter of Determination dated 10-30-2018 identifies Drawings by sheet number A-1, A-6, and A-8, but these drawings were not available, so it is unknown how much information was available for the Zoning Administrator's office to review with regard to the remaining West portion of the lot proposed after the division?

It is our opinion that the existing and proposed conditions should be fully documented and submitted, including a stamped survey for verification, and drawings representing the proposed site and elevations with relevant dimensions identified, and this information along with any conclusions made public.

Relevant Zoning Information:

Given the limited information available, and lack of existing condition drawings of the remaining West lot and Scottish Rite Temple building and site, the following Zoning analysis has been performed based on the publicly available developer presented documents, namely the Historic Preservation Review Board Package Revision-B dated 02-28-2019.

Zoning District: Split Zoned: RA-9 and RA-8 Residential Apartment Zone
The stated purpose and intent of District RA-8 and RA-9 per section 11-F-600.1 are as follows:

CHAPTER 6 DUPONT CIRCLE RESIDENTIAL APARTMENT ZONES – RA-8, RA-9, AND RA-10 - PURPOSE AND INTENT - The Dupont Circle RA zones (RA-8, RA-9, and RA-10) are intended to:

- (a) Recognize the Dupont Circle area is a unique resource in the District of Columbia that must be preserved and enhanced;
- (b) Provide strong protections to retain its low scale, predominantly residential character, independent small retail businesses, human scale streetscapes, and historic character;
- (c) Enhance the residential character of the area by maintaining existing residential uses and controlling the scale and density of residential development;
- (d) Protect the integrity of “contributing buildings”, as that term is defined by the Historic Landmark and Historic District Protection Act of 1978, effective March 3, 1979 (D.C. Law 2-144, as amended; D.C. Official Code §§ 6-1101 to 6-1115 (formerly codified at D.C. Official Code §§ 5-1001 to 5-1015 (1994 Repl. & 1999 Supp.)));
- (e) Preserve areas planned as open gardens and backyards and protect the light, air, and privacy that they provide;
- (f) Enhance the streetscape by maintaining the public space in front of buildings as landscaped green spaces; and
- (g) Encourage greater use of public transportation and the free circulation of vehicles through public streets and alleys.

Currently, the lower density of the existing adjacent RA-2 and RF-2 neighboring districts to the North and East of the site are buffered by extensive existing rear yard open space. The addition of R8 construction on the district boundary will have a direct impact on the character of the abutting lower density residential districts, removing the long-standing transition between the lower density neighborhood and the higher RA-9 building. The proposed lot division and new construction undermines the stated R8, R9 and R10 district goals, and will permanently alter the essential character of the neighborhood.

- (b) Provide strong protections to retain its low scale, predominantly residential character, independent small retail businesses, human scale streetscapes, and historic character;
- (c) Enhance the residential character of the area by maintaining existing residential uses and controlling the scale and density of residential development;

Further, the proposed lot division results in a direct violation of the Zoning regulations by eliminating what is undisputedly the existing rear yard of the Scottish Rite Temple and the open green space it provides. The proposed new construction on the existing rear yard green space clearly undermines the R8, R9 and R10 district goal:

- (e) Preserve areas planned as open gardens and backyards and protect the light, air, and privacy that they provide;

Use: Institutional General or Institutional Religious Based

Allowable Floor Area Ratio: F.A.R.: RA-8 = 1.8 RA-9 = 3.5
(11-F-602.1)

Allow. Max. Building Height: RA-8 = 50' / story: no limit. RA-9 = 90' / story: no limit
(11-F-603.1)

This analysis is based on the developer's request for a revision of the existing building's siting for Zoning purposes, altering the front yard from the West to the North. This is relevant as an existing areaway runs the length of the building on both the North and South facades. This area way is identified by the developer as being 7'-6" wide, thus making it relevant to the height calculation of the building.

Based on the drawings developed by Hickok Cole and made public by the Developer Perseus - TDC through their Historic Preservation Review Board Package Revision-B dated 02-28-2019.

- The building's peak is identified in 2 drawings, the sheet A-9 site plan identifies the height as 139'-0", while sheet A-18 elevation identifies the building height as +/-140'.
- However, it is clear from the elevation on sheet A-18 that the height is taken from grade as determined from the existing front yard (West facade). The revised front yard being the North façade, must account for the depth of the areaway, per 11-B-308.2
- The North and South areaways are identified on page A-9 as being 7'-6" wide and sheet A-84 estimates the S Street (revised front façade) areaway depth as 15' deep on the North (proposed front yard) and 18' deep on the South (proposed rear yard).

Proposed Height - Including Areaway: of the Scottish Rite Temple (11-B-308.5)

Assuming the lower of the two heights identified	139' (existing non-conforming)
<u>Areaway Depth</u>	<u>+15'</u>
- Resulting Non-conformity.	154'

Note: This would further adversely impact the nonconforming condition.

Lot Occupancy: RA-8 = 60% RA-9 = 75% (F-604.1 max. % lot occupancy)
Actual Lot Area(s): Combined: 92,023 sq ft., RA-8: 46,121 sq ft., RA-9: 46,099 sq ft
 (from sheet A-9) RA-8 = 46,121 sq ft: x 60% = 27,672.6 sq ft. allowable
 RA-9 = 46,099 sq ft: x 75% = 34,574.3 sq ft. allowable
 RA-9 estimated existing footprint: 25,877 sq ft. - without areaways

The Proposed altered Lot Occupancy appears to comply, based on the building size information provided by the developer, but without measured plans of the existing Scottish Rite Temple, and a survey, this cannot be verified.

Proposed Floor Area Ratio: $*63,783/46,099 = 1.38$

(from sheet A-9)

*Note: The actual Floor Area of the existing Scottish Rite Temple cannot be determined without review of accurate and measured existing condition plans.

No such plans have been made available.

Further, it appears that none of the Floor Area of the lowest floor of the building (two of whose sides are fully above adjacent grade at the areaways) may have been included in the 63,783-figure provided by Hickok Cole. Based on Drawings published in 'The Masterpieces of American Architecture' by Edward Warren Hoak and Willis Humphrey Church we can identify a lower basement level.

**Based on this 4th floor the total floor area would likely increase by at least a portion of a full floor over the developer's architects estimate. Though this does not call FAR compliance into question, it would likely impact parking requirements reviewed below.

Yards:

Allowable Rear Yard: RA-8 = 15' or 4"/1' ht. RA-9 = 15' or 4"/1' ht.

- Assuming the stated height of 139'.
(139 x 4" = 556" = 46'-4" min. yard) – Proposed Rear Yard Does Not Comply.
- Further assuming the height with the areaway depth: 154'
(154 x 4" = 616" = 51'-4" min. yard) – Proposed Rear Yard Does Not Comply.

Proposed Rear Yard: 42'-6" Note: This results in a non-conforming condition.
(from sheet A-9) Please note: If the areaway is considered as part of the building footprint, this rear yard would be further reduced to 32'-0".

Allowable Front Yard: None required

Proposed Front Yard: 26'-6" (as adjusted to S Street front)

Though 11-B-308.7 permits a lot fronting more than one street to select any front to determine street frontage, while this makes sense for construction of a new building with design control over identification and location of entrances and exits, it must at least be acknowledged that one could not identify an existing building with a more Architecturally clear front facade than the Scottish Rite Temple.

In our opinion, the resulting revised application of street frontage along S Street, will result in visual confusion from a planning perspective and undermines the integrity of this historic structure, and goes directly against the Purpose and Intent of RA-9 as the stated goal of 11-F-600.1(d):

The Dupont Circle RA zones (RA-8, RA-9, and RA-10) are intended to:

(d) Protect the integrity of "contributing buildings",

Allowable Side Yard: Not Required (if provided to be minimum of 4'-0")

Proposed Side Yard: West: not dimensioned East: 5.75'

The Proposed side yard appears to comply; however, it is worth noting that 11-F-606.5 states that existing conforming side yards can't be reduced to a non-conforming width or eliminated. The reorientation of the side yard significantly diminishes the side yard depth of the resulting lot.

Green Area Ratio: RA-8 = 0.4 RA-9 = 0.3
Drawings and Data should be presented and reviewed to show compliance with Green Area Requirements.

Required Parking: Institutional General or Institutional Religious Based

(Per 11-C-701.10) The number of required parking spaces shall not be reduced below the minimum required as long as the use that generated that requirement remains in existence.

(Per 701.14) Required parking spaces shall be provided and maintained so long as the structure that the parking spaces are designed to serve exists.

(Per Table 11-C-701.5)

Institutional General: 1.67 per 1,000 sq. ft. in excess of 5,000 sq. ft.

63,783sq. ft. (as per sheet A-9) – 5000sq. ft. = 58,783 sq. ft. /1000sf = 59

59 x 1.67 = 98.53 parking spaces

50% reduction for being within ½ mile of the U Street Metro Station = 49 spaces

Required Parking = 49 spaces

Note: The proposed change would create a non-compliant condition.

** See note above in Floor Area Ratio referencing an additional lower basement which would add additional square footage to the 63,783sq.ft. total floor area estimated by the developer, further increasing the parking disparity.

Institutional Religious Based: 1 for each 10 seats of occupancy capacity in the main sanctuary; provided, that where the seats are not fixed, each 7 sq. ft. usable for seating or each 18 in. of bench if benches are provided shall be considered 1 seat.

Note: This would require existing condition drawings to be reviewed for an accurate determination.

Proposed Parking:

- Per sheet A-8 the new development will require 25 parking spaces utilizing the 50% Metro reduction and provide 40 parking spaces of off-site parking for use by the Scottish Rite Temple This new parking will be located under the new development.

The proposed 40 Parking Spaces reserved for the Scottish Rite Temple appears to be insufficient and would create another nonconforming condition.

As no comprehensive assessment has been provided for the Scottish Rite Temple, and the proposed parking does not appear to comply with the minimum requirement, this should be further verified through an occupancy and parking review to insure this does not result in a parking burden on the neighborhood. Further, off-site accessory parking should be shown to conform to Zoning requirements.

It is also our opinion that replacing above ground parking with parking 3 to 4 story below grade parking will certainly act as a deterrent to its use and may result in greater burden on street parking in the surrounding neighborhood.

Required Loading: Institutional 63,783sq. ft. (as per sheet A-9)

30,000sq. ft. to 100,000sq. ft.: 1 Loading Berth and 1 Service/Delivery Space

The publicly available information including the site plan presented fails to demonstrate the western lot will comply with the loading requirements of Subtitle C of the Zoning Regulations with regard to either the required loading berth nor the required service and delivery space.

In Summary:

Based on documents available it does not appear as though sufficient information has been provided for a full, thorough, and thoughtful review of the remaining Scottish Rite Temple property resulting after the lot division. This means neither the Community nor the Office of the Zoning Administrator has had an opportunity to fully understand the impact of this proposal.

Also, it is clear that the division of the lot and subsequent development of the new separated RA8 lot to the East of the existing Scottish Rite Temple, undermines the stated R8, R9 and R10 district goals, and will permanently alter the essential character of the neighborhood with regard to density and open green space.

Further, based on the limited information provided it appears that several nonconforming conditions will be created on the remaining Scottish Rite Temple lot, resulting from the lot division. These include but are likely not limited to: the allowable building height as impacted by the areaway on the north façade, the resulting rear yard, as well as the required parking for the remaining Scottish Rite Temple.

Finally, the fulfillment of several Zoning requirements remains undeterminable. For example, the Floor Area Ratio of the existing Scottish Rite Temple, the Green Area requirement compliance for the remaining lot and the Loading and Service/Delivery requirements.

Please feel free to contact me if you have any questions.



Ravi Ricker, AIA
Wrap Architecture

Ravi Ricker

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Resume

PROFILE

Licensed Architect with 28 years of experience in Architecture and Construction. Extensive experience in Single Family and Multifamily housing, as well as a range of Commercial and Industrial projects. A history of working with Non-profit organizations, both funders and developers. A Professional career dedicated to thoughtful environmentally sustainable choices for clients, from creative renovations and adaptive reuse, to alternative mechanical solutions like Solar thermal and Geothermal systems, to use of uncommon but highly effective construction types like Insulated Concrete Form Construction. Experience working with all types of design consultants, and success navigating complex code, and funding source requirements.

REGISTRATION

Licensed Architect - State of Illinois

AFFILIATIONS

American Institute of Architects
Cal OES – California – Safety Assessment Program – Certified Disaster Service Worker
U.S. Green Building Council – LEED Associate (2009 – 2019)
City of Chicago, Licensed Energy Professional (2009 – 2019)

PROFESSIONAL EXPERIENCE

Wrap Architecture – Chicago

4/07-Current: Principal, Architect

- Co-founded and established Wrap Architecture as a thriving award-winning Architectural practice.
- Managed consultants and staff through architectural projects of varying sizes and types.
(see *Project Experience attached, and Wrap website www.wraparchitecture.com for project details*)
- Projects spanned from feasibility studies, building and zoning code reviews, Schematic Designs, and Design Development through development of Construction Documents for bidding and permit, and Construction Administration Services from payout reviews through punch list and project closeout.
- Design Development was achieved working closely with Civil, Structural, Mechanical, Electrical and Plumbing Engineers as well as other consultants including Landscape Architects, Lighting Designers, Energy Consultants, and Commercial Kitchen designers when projects necessitated.
- Other roles included generation of proposals and contracts, website production, general business planning and business administration, including management and upkeep of licensing and required insurances.

GMAC-RFC – Chicago Metropolitan Area

2/04-2/07: Construction Project Manager

- Home Ownership Preservation Enterprise - Renovation of 81 REO 1-4 Unit Residential Buildings
- Reviewed recent foreclosed properties portfolio and identified candidates for renovation and resale.
- Defined the scope of work, procured contractor services and oversaw renovation efforts, contractor payouts and construction close out for resale to homeowners, to develop neighborhood homeownership.
- Reported monthly progress to GMAC-RFC management and local non-profit stakeholders.
- 81 units developed, each resulted in a greater return of lost funds than initial lender projections.

Pappageorge Haymes LTD – Chicago

2/00-2/04: Project Architect

- Projects ranged from new single-family homes, and mixed-use buildings to the conversion of an over 1M sq Montgomery Wards warehouse, into 288 residential units above 2 floors of parking and a data center.
- Project phases included feasibility through schematic design, design development, construction documents and construction administration.

Neighborhood Housing Services - Redevelopment Corporation – Chicago

8/95-2/00: Construction Coordinator

- Renovation of 140 1-4 Unit Residential Buildings (located throughout Roseland & Englewood)
- Identified properties for purchase, renovation and resale to increase homeownership.
- Defined the scope of work, procured contractor services, oversaw renovation efforts, contractor payouts and construction close out.
- Reported weekly progress to NHS-RC director, and maintained books for lenders annual reviews.
- Created a specification standard for NHS-RC properties, and managed local staff in NHS-RC renovations.
- Consulted with the NHS' Neighborhood Lending Program's loan committee on technical construction issues.

Chicago Rehab Network – Chicago

2/94-8/95: Construction Specialist

- \$1.4 M HOPE-3 Implementation Grant for a revolving loan fund for the renovation of residential buildings.
- Provided technical assistance and assisted non-profit members with loan applications.
- Presented loan applications for review by the loan committee.
- 7 projects were completed in partnership with CRN member non-profit organizations.

ACORN Housing Corporation – Chicago

2/92-2/94: Construction Specialist

- Renovation of 21 Single Family and 2 Flats.
- Identified properties for development and defined the renovation scopes and specifications.
- Managed future homebuyers through a sweat equity program both reducing development costs and educating homeowners.

EDUCATION

Bachelor of Architecture (General Honors) - University of Miami, Coral Gables, FL - May 1991
Architecture Study Abroad - Architectural Association, London, England - 1990

**PROJECT
EXPERIENCE**
RESIDENTIAL

Moreno Cargie Residence – Owner occupied 2 flat Renovation – Logan Square, Chicago
Krasinski Residence – Single Family Home Renovation – Evanston, IL – Geothermal & Solar PV
Bronzeville Artist Lofts – 16 Artist Live/Work Lofts with Commercial 1st Floor, Chicago
 NSP funded Renovation and Conversion of an Existing 33,000 sq ft Building, DCEO energy grant
Kelly Residence – new Single Family Home, ICF construction – Naperville, IL - Geothermal
Esenberg Residence – Single Family Home Renovation – Pilsen, Chicago
Dettman/Dizon Residence – Single Family Renovation and Addition –Lincoln Square, Chicago
Allison/Bennett – 6 unit Apartment Building – East Village Landmark District, Chicago
 Energy Star Certified & Chicago Green Homes 3 stars - 3 renovated units + new 3 unit addition
Park/Raines Residence – new Single Family Home – Logan Square, Chicago
 LEED-H Silver, Energy Star Certified & Chicago Green Homes 3 star rating
Northern Trust – Single Family Home Renovation with Disability Suite – Des Plaines, IL
Neighborhood Housing Services Redevelopment Corporation – Chicago
 One to Four Unit Building Renovations and/or Additions
Park Bank Initiatives – Single Family Home Renovations - Historic Pullman and Maywood
Deth/Sahakian Residence – Single Family Home Renovation, Logan Square, Chicago

COMMERCIAL/
INDUSTRIAL

Eris – Restaurant Brewery and Cider House – Old Irving Park, Chicago
 Renovation and Conversion of an Existing 23,000 sq ft Masonic Temple
Spiteful Brewing – Production Brewery and Taproom – Bowmanville, Chicago
 7,500 sq ft Brewery and Taproom Build Out of an Existing Manufacturing Building
Bickerdike Redevelopment Corporation – Corporate Office Space Plan – Humbolt Park, Chicago
SOFA Chicago 2015 – Art Fair – Festival Hall Navy Pier, Chicago
 Space Plan and Interior Show Layout, Wayfinding, and Design/Built Show Entrance
Revolution Brewery – Full Production Brewery – Kennedy Industrial Corridor, Chicago
 95,000 sq ft Brewery, Tap Room and Corporate Office in an Existing Manufacturing Building
Smylie Brothers Brewing Company – Restaurant and Brewery – Evanston, IL
 Renovation, Addition and Conversion of an Existing 12,000 sq ft Building
Alarmist Brewing – Production Brewery – Sauganash, Chicago
 14,000 sq ft Brewery Build Out in an Existing Manufacturing Building
Sauce and Bread Kitchen – Commercial Kitchen and Café – Edgewater, Chicago
Candid Wines – Wine Distribution Headquarters and Warehouse –Kinzie Industrial Corridor, Chicago
Bickerdike Maintenance Office – Office Tenant Build-out – Humbolt Park, Chicago
Revolution Brewing – Restaurant and Brew Pub - Logan Square, Chicago
 Renovation and Conversion of an Existing 18,000 sq ft Building
Chesterton Freight Station – Conversion of a Freight Station to a Bed & Breakfast – Chesterton, IN

CONSULTING

Neighborhood Housing Services Redevelopment Corporation – Green Consultant - Chicago

TEACHING/
SPEAKING

Rural Studio, Auburn University – Building Code Compliance Workshop – 2012 thru 2019
Rural Studio, Auburn University – Guest Lecturer, Wrap Architecture - 2013 thru 2019
AIA Small Project Awards: Small but Mighty 2017, Chicago, IL – Speaker
 SOFA – Design Build Entrance Installation
AIA National Convention 2014, Chicago, IL – Speaker
 Brew More, Waste Less – Revolution is Brewing
AIA Chicago COTE Building Tour and Presentation 2013
 Revolution Brewery, Fermenting High Performance Design
GreenBuilt Home Tour 2013 – Park Raines Residence, Chicago IL – LEED Silver
UIC Graduate Program – Guest Lecturer: Public Interest Architecture - 2012 and 2013
GreenBuild 2010 off site building tour – Revolution Brewing, Chicago, IL
Illinois Dept. of Commerce & Community Affairs 1997 & 1998
 Energy Conservation and Home Inspection Workshop – Springfield, IL

COMPETITIONS

2015 Pullman ArtSpace Design Competition: Artist Live/Work Space – Top 10 Semi-Finalist
2005 Urban-Open: A Community Garden on 3 lots – Top 10 Finalist

AWARDS/
ARTICLES

2019 Landmark Illinois Richard H. Driehaus Preservation Award - Adaptive Reuse:
 Eris Brewery and Ciderhouse, Chicago
2018 US Woodworks Wood Design Award Regional Excellence: Bronzeville Artist Lofts, Chicago
2018 ASHRAE Excellence in Engineering Technology Award:
 Eris, Chicago – Geothermal Micro Brewpub with Process Heat Recovery
2017 Small Project Award AIA Chicago: SOFA Entrance Installation
2015 Richard H. Driehaus Award for Architectural Excellence in Community Design, 3rd Place:
 Bronzeville Artist Lofts, Chicago – 16 Affordable Artist Live/Work Lofts & Commercial 1st Floor
2014 Small Project Award AIA Chicago: Safe House – Disaster Resilient Home Prototype
2012 Small Project Award AIA Chicago: 99 Beer Bottle Chandelier – Revolution Brewing
2011 September/October: Chicago Architect Magazine – ‘Beer Craft’
2010 ICF Builder Awards: Large Residential – First Runner Up

PORTFOLIO AVAILABLE UPON REQUEST