

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

Application of MIC9 Owner, LLC on behalf of Meridian International Center  
ANC 1C08

**STATEMENT OF THE APPLICANT**

This is the application of MIC9 Owner, LLC (the “**Applicant**”) on behalf of Meridian International Center (“**Center**”), for special exception relief that will permit the construction of a building on the Center’s existing campus with approximately 9,266 square feet of office and meeting space for the Center, approximately 111 residential units, approximately 47 parking spaces for the Center, and approximately 72 parking spaces for the residential units (the “**Project**”). The Center’s existing campus consists of property bounded by 16<sup>th</sup> Street NW, Belmont Road NW, and Crescent Place NW (Square 2568, Lots 806, 808, and 809) (“**Campus**”). The Project will be built on the easternmost portion of the Campus, near 16<sup>th</sup> Street (Lots 806 and 808) (“**Property**”).

The Project, which is located on the site of a historic landmark and within the boundaries of the Meridian Hill Historic District, recently received concept approval from the Historic Preservation Review Board (“**HPRB**”), and the Project otherwise complies with the height, floor area ratio, lot occupancy, parking, and other parameters of the Zoning Regulations. However, because the Center operates as a private school for adults pursuant to previous BZA approvals, the Project requires special exception approval to modify the approved private school plan to accommodate the Project. In addition, the Property is split-zoned in the RA-2 and RA-4 Zone Districts, and the Project requires special exception approval to extend the bulk restrictions of the RA-4 zone 35 feet to the west. Lastly, the Project requires special exception approval to accommodate the proposed retaining walls around the perimeter of the Property.

## **I. NATURE OF RELIEF SOUGHT**

The Applicant requests that the Board of Zoning Adjustment (the “**Board**”) grant special exception approval pursuant to Subtitle X, Section 901.2 of Title 11 of the District of Columbia Municipal Regulations (“**Zoning Regulations**”) for the following:

- Approval to modify the existing private school plan pursuant to Subtitle X, Section 104.1;
- Approval to extend the bulk regulations of the RA-4 zone to a portion of the Property zoned RA-2 pursuant to Subtitle A, Section 207.2; and
- Approval for the height of the Project’s proposed retaining walls pursuant to Subtitle C, Section 1402.1 of the Zoning Regulations.

## **II. JURISDICTION OF THE BOARD**

The Board has jurisdiction to grant the special exception approval requested pursuant to Subtitle X, Section 900.2 of the Zoning Regulations.

## **III. THE APPLICANT**

Meridian International Center is a premier nonprofit global leadership organization. The Center offers educational and cultural exchange programs aimed at strengthening global engagement, preparing public and private sector leaders for a global future, and providing a forum for international collaboration across sectors. These include experiential learning programs in which participants gain experience through tours, visits, and activities in other cities, as well as various training programs, expert panels, and related events hosted at the Center designed to foster the exchange of ideas surrounding global issues and international diplomacy. For over 50 years, the Center has played an important role in D.C., benefiting the community as part of its broader

work to include cultural and educational programs, which have included D.C. public schools, local not-for-profits, and the Mayor's Office of International Affairs.

The Applicant, an affiliate of Westbrook Partners LLC (“**Westbrook**”), is the contract purchaser of the Property. Westbrook is a fully integrated real estate investment management company founded in 1994, with experience in the development and management of a wide variety of projects, including office, multi-family residential, hotel, and retail developments in the U.S. and abroad. Westbrook has been actively investing and developing within Washington, D.C. for the past 30 years. Some of the more notable and recent properties that Westbrook has owned or developed include the W Hotel, the St. Regis, the Ritz Carlton West End, the Ritz Carlton Georgetown, the current NPR headquarters, a residential condominium project on the site of the old Frager's Hardware store in Capitol Hill, a condominium project at 6<sup>th</sup> and T Streets NW adjacent to the Howard Theater, and a rental apartment building at the end of H Street NE known as Flats at Atlas.

#### **IV. DESCRIPTION OF THE PROPERTY AND SURROUNDING AREA**

The Property is located in the Adams Morgan neighborhood in Ward 1. The Property fronts on three streets and is bounded by Belmont Street, NW, Crescent Place, NW, and 16<sup>th</sup> Street, NW. The Property is well-served by multiple bus lines along 16<sup>th</sup> Street, and it is located approximately six blocks from the U Street Metrorail station. The Property is split-zoned in the RA-2 zone and RA-4 zone districts, with the RA-4 zoning located along the Property's 16<sup>th</sup> Street frontage and the remainder of the site in the RA-2 zone district.

The Property is improved with the White-Meyer House, a historic mansion designed by John Russell Pope and designated as a historic landmark. The Property is also located within in the recently-designated Meridian Hill Historic District, which is characterized by a mix of large

mansions and apartment buildings. To the west of the Property is the Meridian House, which was also designed by Pope and is also a historic landmark. The Center occupies and uses both houses. The eastern portion of the Property along 16<sup>th</sup> Street is undeveloped but used for parking by the Center. The unpaved lot has the capacity for approximately 50 parking spaces through the use of attendant-assisted parking. This lot is used largely for event parking; an additional 39 parking spaces for the Center's employees are located in an underground garage across Belmont Street NW.

The Property sits on elevated terrain that helps define the historic site. The Property is located at one of 16<sup>th</sup> Street's steepest inclines, as the street transitions up the significant land rise that stretches across Northwest D.C. Furthermore, when 16<sup>th</sup> Street was widened in the early 1900s, it created significant berms on either side of the roadway as the street was excavated. The dramatic change in elevation moving northward along 16<sup>th</sup> Street, and the valleyed channel formed along 16<sup>th</sup> Street when the street was widened, together create the distinct topographical context for the area's development. The Property also slopes significantly, with a drop of approximately 50 feet from northwest to southeast. As a result, the entire Campus is surrounded by a perimeter of retaining walls and site walls that define the Campus and isolate it from the surrounding public realm. East of the walls, within the 16<sup>th</sup> Street right of way, is a significant berm that slopes down to meet the sidewalk; this berm is characterized by two large mature trees that must be retained as directed by the District's Urban Forestry Administration.

The Property sits across 16<sup>th</sup> Street from Meridian Hill Park, on axis with the park's Grand Terrace.<sup>1</sup> Apartment buildings flank the Property to the west and north, with the greatest density

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<sup>1</sup> The Grand Terrace sits 30 feet above the street elevation, with a fountain niche facing 16<sup>th</sup> Street, which sits directly opposite the significant berm and mature trees along the Property's frontage

and height concentrated along 16<sup>th</sup> Street in keeping with other larger apartment buildings that encircle the park. The Property's most immediate neighbors to the north are the Envoy and 1661 Crescent Place. The Beekman Place Condominiums complex is across Belmont Street to the south. To the west of the Campus, across Belmont Street, is 2200 Belmont, a condominium development that includes underground parking used by the Center's employees. The areas surrounding the Property are also in the RA-4 and RA-2 zone districts; further to the northwest is property in the RC-3 Zone District.

## **V. PRIOR ZONING HISTORY**

The Center was first established at the Meridian House in 1960. The Center, then known as the Washington International Center, was approved by the Board as a private school for adults pursuant to Order No. 5802, which is attached as Exhibit G. Order No. 5802 also approved 38 off-site parking spaces on a surface lot located across the street at what is now 2200 Belmont Street. In 1987, the Center purchased the Property and expanded its operations into the White-Meyer House. In connection with this expansion, the Board approved modifications to the Center's private school plan to include the Property in Order No. 14571, which is attached as Exhibit H. The Board again approved a modification to the private school plan in 2003, in Order No. 17070, which authorized the redevelopment of the Center's surface parking lot at 2200 Belmont Street with the current condominium and permitted the relocation of the Center's parking into an underground garage. Order No. 17070 is attached as Exhibit I. As a part of Order No. 17070, the Center also agreed to utilize the undeveloped area on the Property as a parking area during the Center's events.

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and punctuates the large, stepped retaining wall that advances up the eastern side of the street along the park's edge.

## VI. PROJECT DESCRIPTION

The Applicant proposes to construct an apartment building with approximately 111 residential units and up to 9,266 square feet of gross floor area of office and meeting space for the Center (“**Project**”). Similar to the redevelopment approved by the Board in 2003, the Applicant proposes to construct the Project on an existing surface parking lot in order to generate revenue that will support the Center’s mission and, in particular, the continued maintenance and upkeep of the White-Meyer House and Meridian House historic landmarks. As with the previous development, the Applicant will relocate an existing surface parking lot into an underground garage. The garage will contain approximately 47 parking spaces for use by the Center as well as 72 parking spaces for its new residents.

Broadly, the Center’s operation will remain largely the same following development of the Project. Currently, the Center’s operations are limited by the layout and spaces within the historic mansions, which were not designed with the Center’s space and technological needs in mind. The Center’s space within the Project will include an open office area that will create a collaborative workspace for existing employees and on-site workstations for employees that telecommute. The space will also include a meeting space area designed to accommodate up to 175 people. This modernized, adaptable space is intended to serve as an alternative to—not in addition to—existing event space in the historic mansions. The Center’s proposed space requires special exception approval for modifications to an existing private school plan.

The Project will facilitate improvements to the Center’s current transportation and parking operations that also require modification of the existing private school approval. Broadly, the Belmont Street and Crescent Place roadways around the perimeter of the Campus run in a one-way, clockwise direction, except for a small two-way portion on Belmont Street near 16<sup>th</sup> Street.

This means that all event traffic coming to the Center must enter on Belmont and circulate around the Campus to either valet operations in front of the mansions or to the parking lot driveway on Crescent Place. The Project will underground the Center's parking and relocate the entrance to the end of the two-way segment of Belmont Street. As a result, vehicles coming to the Project will only need to enter through a short segment of Belmont Street, which the Applicant proposes to widen through the elimination of on-street parking spaces on one side of Belmont Street. Vehicles leaving the Project can either exit to 16<sup>th</sup> Street by that same two-way segment of Belmont Street, or proceed west along Belmont Street and then head north via either 17<sup>th</sup> Street or Crescent Place and 16<sup>th</sup> Street. Vehicles will enter the Project through an entry court that will provide space for valet operations as well as access to separate ramps to the parking for the different uses in the Project. Loading and service for the Project will also utilize the entry court. As noted above, the Center's parking garage will contain parking for approximately 50 vehicles, which is consistent with the current parking capacity of the existing surface lot.

The Project will also facilitate significant improvements to the public realm. As described above, the Property is currently ringed by site walls that create a hard, impermeable edge on all three street frontages. The Project's primary entrance is located along 16<sup>th</sup> Street, consistent with many of the other grand apartment buildings along this prominent axial street. A pair of elegant stairways surrounded by landscaping will lead pedestrians up the berm from either intersection to the main entrance. Along Crescent Place, the existing site walls will be lowered to help engage the surrounding street yet maintain privacy for the ground-floor units. Along Belmont Street, retaining walls consistent with the height of the current walls will need to remain because of the significant change in grade. Although these walls generally correspond to the height of the existing walls

along Belmont Street, they require special exception approval from the height limitations on retaining walls established in the 2016 Zoning Regulations.

In keeping with the historic context of both the landmark mansions and the Meridian Hill Historic District, the proposed building will be architecturally significant and will reflect the elevated design style that is characteristic of the historic district. The Project has undergone an extensive review by the Historic Preservation Office (“**HPO**”) and Historic Preservation Review Board (“**HPRB**”). After multiple reviews and design revisions (discussed below), the Project received concept approval from HPRB on June 29, 2017. HPRB agreed with HPO staff’s recommendation, finding that the Project is compatible with not only the historic character of the White-Meyer House but also the overall Meridian Hill Historic District. In so doing, HPRB endorsed the Project’s massing and configuration, with the taller primary mass facing 16<sup>th</sup> Street and the lower secondary mass on Crescent Place, as compatible and appropriate. HPRB also concluded that the height of the primary mass along 16<sup>th</sup> Street was appropriate, and explicitly rejected a shorter version as inconsistent with the surrounding historic district. Copies of the HPO staff reports and the associated HPRB Actions are attached as Exhibit J.

The primary mass of the Project that faces 16<sup>th</sup> Street is an eight-story bar with a height of approximately 80 feet as measured from the existing grade at the middle of the front of the building on 16<sup>th</sup> Street. To reduce its apparent height and scale, the Applicant has set back the top story of the Project, which establishes a primary cornice line at the top of the seventh story, and has located balconies at the building corners, which narrows the building profile. This portion of the Project will also feature a habitable penthouse that is further set back to reduce its visibility from the street. The RA-4 Zone District permits a height of 90 feet and an additional penthouse height of 20 feet, and the Project is well below this height limit. The secondary mass of the Project along Crescent



Place is a five-story bar with a height of 50 feet, plus an additional habitable penthouse that is set back from the edge of the building. The majority of this bar is within the RA-4 Zone District and is therefore well under its 90-foot height limit. The balance of the bar is within the 50-foot height limit permitted in the RA-2 Zone District.

The Project will have an overall Floor Area Ratio (“FAR”) of approximately 2.1, with approximately 14,825 square feet attributable to the White-Meyer House and 127,171 square feet attributable to the Project. The RA-4 portion of the site will have an individual FAR of 4.2, within the maximum 4.2 FAR permitted with the Inclusionary Zoning (“IZ”) bonus. The RA-2 portion will have an FAR of 0.91, within the maximum 2.16 FAR permitted with the IZ bonus. The proposed density reflects the Applicant’s third special exception, which proposes to extend the RA-4 zone district parameters 35 feet west. Importantly, the zone boundary line adjustment is not being used to locate the additional height or density in that transition area; rather it creates a modest increase in permitted density on the RA-4 portion of the Property, which allows density to be shifted to the Project’s 16<sup>th</sup> Street frontage. The Project otherwise complies with all zoning requirements, including height, lot occupancy, yard and court requirements, green area ratio, parking, and loading.

## **VII. COMMUNITY OUTREACH AND ENGAGEMENT**

For over three years, the Applicant and its design team have been meeting with representatives of ANC 1C and surrounding residents—including, in particular, residents of Beekman Place and 1661 Crescent. Discussions began in 2014, when the Project was led by a second development partner and under design by a different architect. The Applicant formed a “working group” of interested stakeholders, led by a respected community facilitator, to evaluate and seek common ground on the design, use, and transportation and other impacts of the proposed

development. Although some progress was made, the ANC and neighbors generally opposed the height and mass of that version of the Project, as well as its more modern design and lack of a central 16<sup>th</sup> Street entrance. The Project was presented to HPRB on April 2, 2015; while HPRB approved the overall site organization of a primary building fronting on 16<sup>th</sup> Street and stepping down along Crescent Place, HPRB directed further work on the building design and entrance.

In response to community concerns and HPRB direction, the Applicant engaged the current architect, who maintained the overall site plan but redesigned the Project to be more compatible with the character of the Meridian Hill Historic District through, among other things, more consistent materials and a central entrance on 16<sup>th</sup> Street. As importantly, the Applicant reduced the mass of the Project from the previous version by over 20%, primarily through the elimination of a story along Crescent Place. The Project returned to HPRB in December 2016, where the Board found the Project to be “very close” to being compatible, but directed further study of the building height and treatment of the building entrance. The Applicant further revised the Project design to strengthen the building entrance along 16<sup>th</sup> Street and reduce its apparent height through building setbacks and design changes. After review of the revised design against alternative designs that removed a full story of height, HPRB approved the design of the Project in June 2017. Through this process, ANC 1C and many neighbors continued to voice concerns focused on the height of the Project, although some residents as well as current and former ANC commissioners voiced support.

Many of the neighborhood’s concerns about the Project are related to traffic, parking, and other impacts linked to the Center’s current and future operations. In connection with the previous BZA approval, the Center and ANC 1C negotiated a “Memorandum of Understanding,” which set forth parameters to address community concerns about transportation, noise, and other impacts.

Both the Center and community representatives have expressed a willingness to discuss and negotiate additional changes and clarifications to the MOU in order to address neighborhood concerns about the Project, and discussions have commenced. The Applicant will continue to work with ANC 1C, Beekman Place, 1661 Crescent, and other stakeholders with the goal of reaching consensus prior to the BZA hearing.

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

The Applicant is seeking special exception approval to: (A) modify the existing private school plan for the Center; (B) extend the bulk permitted by the RA-4 zone 35 feet west into the portion of the Property zoned RA-2; and (C) construct retaining walls that will exceed the permitted height allowed under the Zoning Regulations. The standard for special exception approval requires demonstration that the proposed project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, will not tend to adversely affect the use of neighboring properties, and meets the special conditions specific to the relief requested. 11 DCMR Subtitle X, Section 901.2. As discussed in detail below, the Project satisfies both the general standard for special exception relief and the specific standards for the particular relief requested in this case.

#### **A. Private School Plan Modification**

The Applicant seeks to modify its existing approval as a private school pursuant to BZA Order Nos. 5802, 14571, and 17070 in order to (1) locate approximately 9,266 square feet of office and meeting space in the Project and (2) relocate the existing 50 surface parking spaces on the Property into an underground garage, accessed from Belmont Street NW. No other changes are proposed.

Under Subtitle X, Section 104.2, to modify an existing private school plan, an applicant must demonstrate that the school is located so that it is not likely to become objectionable to adjoining and nearby properties because of noise, traffic, number of students, or otherwise objectionable conditions. As the BZA noted in Order No. 17070, this analysis focuses only on “those aspects of the special exception that Meridian seeks to modify.” BZA Order No. 17070 at 4.

Overall, the Center’s use and operations will remain the same following the Project’s development. The Center will maintain the same number of employees and visitors and will host the same number and type of events as it does currently. The new space located within the Project will merely provide additional space to accommodate the Center’s existing activities; the office space will serve as a collaborative work area for the Center’s employees, and the meeting space will provide a modernized location for meetings and other events. Importantly, the new meeting space in the new building is not intended to be used to accommodate an increase in meeting and event activity; rather, the new space will be available as an alternative to—not in addition to—existing space used in the historic mansions. Similarly, transportation and parking activity will remain generally the same as current conditions, as described in greater detail below.

### **1. Noise**

The Project will not have an adverse effect on surrounding properties with respect to noise. The Center’s new office and meeting space will be indoors and is anticipated to be used primarily for daytime events, thereby minimizing the impact of any disruptive noise generated by the Center’s programs and events. Furthermore, the outdoor spaces located within the Project’s perimeter will be generally reserved for the residents of the Project; outdoor events held by the Center, such as weddings, will continue to be held on the western portion of the Campus where they occur now. Finally, loading and service activities for the Center’s new space will also occur

within the building, as shown on the loading plan at page 11 of Exhibit M. Accordingly, any noise generated by the Center's uses within the Project will have minimal, if any, impact on adjacent and nearby properties.

## **2. Traffic**

The Project will not generate objectionable traffic or other transportation impacts related to the Center. Broadly, traffic levels will remain generally the same as current conditions. The level of operations and intensity of the Center's use, and the vehicular activity associated with that use, will not increase as a result of the Project. Rather, the Project will merely provide alternative office and meeting space within the Project that accommodates existing ongoing activities. Therefore, the Project is not expected to result in a noticeable increase in the overall traffic activity associated with the Center's activities. Indeed, even the additional traffic generated by the proposed residential component of the Project (which is otherwise permitted as a matter of right) is minor; the volumes barely exceed the District Department of Transportation's thresholds for conducting a full transportation analysis. The Applicant is working with its traffic consultant, Wells & Associates, to produce a comprehensive transportation review ("CTR") that evaluates and addresses the transportation impacts of the Project. The CTR will be finalized and submitted into the record well in advance of the public hearing.

Similarly, traffic circulation patterns will remain largely consistent with current conditions for many of the Center's activities. Employee parking will continue to be located at 2200 Belmont. Passenger drop-off and pick-up for events held in the mansions will continue to be located at their front doors as they are now; the same is true for service and deliveries for the mansions. Only those events that are held at the Center's space in the Project will be accessed and serviced from the drive court. Because these events will be in lieu of, rather than in addition to, existing events, the

only change will be in the point of entry into the Campus. The number of trips will otherwise remain the same. Indeed, the new location will represent an improvement over existing conditions, because it will disperse trips over multiple roadways. Exiting traffic will no longer be forced to leave the block on one-way Crescent Place to 16<sup>th</sup> Street. Instead, departing vehicles will also have the option of returning back to 16<sup>th</sup> Street via the two-way segment of Belmont Street or exiting to the north via 17<sup>th</sup> Street instead of along Crescent Place.

The Project will adjust the location for access to the Center's event parking from Crescent Place to Belmont Street. However, this change in location will not result in an increase in traffic activity associated with the Center. Again, since the number of events is expected to remain the same, there will be no net increase in traffic coming to the Campus for events; similarly, there will be no increase in the amount of valet traffic circulating around the Campus to enter and exit the event parking spaces. Indeed, since some events will now be held within the same space as the event parking, this co-location will result in a reduced number of vehicles circulating the perimeter of the Campus due to valet operations.

Accordingly, the proposed modification to the Center's private school plan will not have any adverse effects with respect to traffic. The Applicant will continue to work with DDOT as well as ANC 1C and neighborhood stakeholders to review and evaluate potential measures that may be implemented, if deemed necessary, to further minimize any effects on traffic associated with the proposed reconfiguration of the Center's vehicular access, parking, and circulation plan.

### **3. Parking**

The Center's new underground garage will continue to accommodate the same number of parking spaces for events that are currently accommodated on the surface lot. Again, since the number and type of events are anticipated to remain constant, the proposed parking will continue

to be adequate to accommodate the Center's activities. The matter-of-right residential component of the Project will also not create objectionable parking impacts; it will contain approximately 72 parking spaces for approximately 111 units. This is nearly double the required amount of parking under the Zoning Regulations, but it is appropriate given that the residential units are expected to be for-sale condominiums and responds to the community's concerns regarding potential spillover parking into the neighborhood.

#### **4. Number of Employees, Students, and Event Attendees**

The Center has approximately 106 employees and expects this number to remain constant. Most events held by the Center draw less than 100 people, with one event at a time, and one event per day on average. Approximately four times per quarter, the Center hosts events for 150–250 people, and once per year the Center hosts the Meridian Ball, which draws 500+ attendees. In addition, the Center hosts private events, such as corporate events and weddings, with weddings limited to one per weekend.

The Center does not anticipate any increase in the existing activity levels described above. The Center's spaces within the Project will provide office and meeting space that is designed as an alternative location for these existing employees and activities, not as space for additional programs and events. Furthermore, many mission-driven as well as private events (such as weddings), will continue to be held in the mansions because of their attractive and elegant setting. Accordingly, the Project is not anticipated to generate objectionable, negative impacts on surrounding properties due to the number of students, employees, and visitors to the Center.

#### **5. Conclusion**

For all of these reasons, the Project satisfies the standard under Subtitle X, Section 104 for approval of the proposed modification to the Center's private school plan.

## **B. Zone Boundary Extension**

Under Subtitle A, Section 207.2, the Board may, as a special exception, extend the use, height, and bulk regulations of a less restrictive zone to a portion of a lot in a more restrictive zone, subject to conditions. In effect, this allows the Board to shift a zone boundary line for a split-zoned lot up to 35 feet. The Applicant must demonstrate: (1) that the extension is limited to that portion of the lot in the more restrictive zone but not more than 35 feet; (2) that the extension complies with Subtitle A, Section 207.1(d); (3) that the extension will not have an adverse effect on the character and future development of the neighborhood; and (4) the Board may impose requirements pertaining to design, appearance, screening, location of structures, lighting, or other requirements it deems necessary to protect adjacent or nearby property.

Here, the Applicant proposes to shift the RA-4 zone boundary line crossing the Property westward into the portion of the lot zoned RA-2. The requested extension is solely to facilitate the more appropriate site massing focused along 16<sup>th</sup> Street, as endorsed by HPRB. The proposed site is well under the maximum permitted density in the RA-2 zone; rather than utilize that density in the southwest corner of the development site (where it would be closer to the White Meyer House and Beekman Place), the proposed zone boundary line adjustment allows that density to be shifted and used along 16<sup>th</sup> Street. The use and height of the Project within the transitional area is wholly consistent with the requirements of the more restrictive RA-2 Zone District, as both zones permit multi-story apartment buildings. Indeed, the shorter 50-foot tall portion of the building extends along the majority of the Property's Crescent Place frontage, well into the RA-4 portion of the Property.

The Applicant's request complies with the standards of Subtitle A, Section 207.1. The requested zone boundary line adjustment is within the applicable 35-foot limit, and Section



207.1(d) is inapplicable in this case as it only applies to lots located in R and RF zones. Further, the proposed extension will not have any adverse effect on the present character of the surrounding neighborhood or its future development. On this point, the Project has undergone an extensive multi-year historic preservation review process, and through this process the Applicant has reduced the height, mass, and scale of the Project in order to better fit within the surrounding neighborhood context. As a result, the Project now represents a carefully calibrated design that will complement surrounding development and contribute to the character of the neighborhood. Accordingly, both HPO and HPRB have found the Project to be compatible with the character of the surrounding Meridian Hill Historic District, including both the height of the taller primary mass along 16<sup>th</sup> Street and the shorter secondary mass along Crescent Place. Of particular note, both HPO and HPRB concluded that a shorter building facing 16<sup>th</sup> Street would be incompatible with the surrounding neighborhood, because the resulting smaller building would appear ill-proportioned and inconsistent with the character of the historic district.

For these reasons, the requested relief will not have any adverse effect on the present character or future development of the neighborhood, and the application meets the standard for this relief.

### **C. Retaining Walls**

The height of retaining walls are regulated under the 2016 Zoning Regulations. (The 1958 Zoning Regulations, as amended, did not limit such height.) Generally, the maximum height of a retaining wall is limited to six feet, but that height is further limited along a street frontage or property line to four feet. Under Subtitle C, 1402.1, the Board may approve retaining walls that exceed the maximum matter-of-right height upon a showing that “conditions relating to the

building, terrain, or surrounding area would make full compliance unduly restrictive, prohibitively costly, or unreasonable.”

Here, the Property is currently encircled with existing retaining walls ranging in height from 8 feet to 18 feet, well in excess of these maximum height dimensions. These retaining walls serve to hold back the sizable elevated grade on the Property. Through the construction of the Project, the Applicant will generally maintain the existing grades around the balance of the site, which will require the continued use of retaining walls. Along Crescent Place, which is the higher end of the Property, the Applicant will lower the retaining walls to increase the visibility of the Project and enhance its connection with the adjacent streetscape. As a result, these walls will comply with the requirements of the Zoning Regulations. Along the Belmont Street frontage, which is at the lower end of the site, the Applicant will continue to utilize retaining walls that correspond with the existing wall heights because of the significant difference in grade between the sidewalk and the Property. The walls along Belmont Street exceed the maximum permitted height, requiring special exception relief pursuant to Subtitle C, Section 1402.1.

Here, strict adherence to the maximum height limit for retaining walls is unduly restrictive and unreasonable because of the significant grade changes between the Property and surrounding sidewalks as well as historic and site constraints that require maintenance of those grade changes. The Property, along with other sites along this segment of 16<sup>th</sup> Street, is defined by two primary topographical features: the steep rise in elevation moving north up this portion of 16<sup>th</sup> Street contrasted against the deep roadbed of 16<sup>th</sup> Street itself formed by the widening of the street in the early 1900s. Development along this part of the corridor responded to these conditions through, among other features, large site walls along, and fanning out from, 16<sup>th</sup> Street in order to support and maintain the severe terrain. These walls are so closely identified with the neighborhood that

they are called out for their significance in the Meridian Hill Historic District’s designation application.<sup>2</sup> The walls surrounding the Center’s campus contribute to this theme in the neighborhood and contribute to the area’s unique “enclave-like feeling.”

As a result, the proposed retaining walls along Belmont Street are necessary in order to maintain support of the existing elevated grade on the Property, which in itself is an important historic feature of the site. Furthermore, because the White-Meyer House sits on this grade as well, the retaining walls at the southwest corner of the Project are needed to support and transition from the House down to Belmont Street. In addition, the proposed retaining walls are necessary to knit the Project into the existing site walls that encircle the remainder of the Campus and its two historic landmarks. Based on these factors, HPRB and HPO both endorsed the height and design of the proposed retaining walls.

As importantly, the retaining walls are necessary to support the surrounding historic landscape and streetscape. The elevated grade of the Property carries through to a steep berm within the 16<sup>th</sup> Street right-of-way that prominently features and supports two mature trees, which DDOT’s Urban Forestry Administration has determined must remain on site. As a result, the Project must maintain its existing grades in order to tie in to the 16<sup>th</sup> Street berm and support the trees, and the proposed retaining walls along Belmont Street are necessary to support this goal. The walls along Belmont Street also help to support the Project’s on-site landscaping and bioretention features.

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<sup>2</sup> Two sets of retaining walls, in particular, illustrate the central role such walls play in this area’s development and character. The first is the red Seneca sandstone wall that formerly enclosed the Henderson Castle and now encircles Beekman Place. The historic district designation package notes that this wall “is not only an important cultural landmark, but is a significant landscape element of the streetscape.” Second, but no less significant, is the stepped concrete retaining wall that borders Meridian Hill Park, which is described as “an exceptional landscaping feature within the city’s neighborhood streets and an important urban element in the historic district.”

In sum, the proposed retaining walls are not only an essential component of the Project necessary to maintain the Property's existing terrain and support historic landscaping features, but also constitute part of the network of walls that define the quality and character of the Meridian Hill Park neighborhood. Accordingly, prohibiting replacement of the existing retaining walls would be unduly restrictive and unreasonable, and the application meets the standard for approval of the requested special exception.

**D. General Special Exception Criteria**

As stated above, pursuant to Subtitle X, Section 901.2, approval of special exception relief requires demonstrating that the proposed project is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, will not tend to adversely affect the use of neighboring properties, and meets the special conditions specific to the relief requested. For all of the reasons discussed above, the subject application satisfies this standard. Modification of the Center's private school plan, extension of the bulk restrictions of the RA-4 zone, and approval of the proposed retaining walls, as requested, will accommodate a development that is fully compatible with, and indeed will complement, the surrounding neighborhood and other development along this portion of 16<sup>th</sup> Street, NW. The Center's operations and intensity of use will largely continue at the same level as currently exists today, and the height and density of the proposed building is consistent with the parameters of the underlying RA-2 and RA-4 zoning. Reconfiguration of the Center's parking and circulation plan will not have any negative impacts on traffic in the neighborhood, and Project will provide residential infill development that is appropriate for the site and the surrounding area. Lastly, replacement of the existing retaining walls will enable the Project to maintain support of the Property's topographical and landscaping

features, and the proposed walls will, like the existing walls, complement the network of walls that help to define the neighborhood's unique character. Accordingly, the requested relief is justified.

**IX. LIST OF PUBLICLY AVAILABLE DOCUMENTS**

1. Zoning Regulations and Zoning Map of the District of Columbia, available at [dcoz.dc.gov](http://dcoz.dc.gov).
2. Orders of the District of Columbia Zoning Commission and Board of Zoning Adjustment, available at [dcoz.dc.gov](http://dcoz.dc.gov).
3. Meridian Hill Historic District Nomination, Design Guidelines, and Supporting Information, available at [planning.dc.gov](http://planning.dc.gov).
4. Actions and Staff Reports of the District of Columbia Historic Preservation Review Board, available at [planning.dc.gov](http://planning.dc.gov)

**X. CONCLUSION**

For all of the above reasons, the Applicant is entitled to the requested special exception relief in this case.

Respectfully submitted,  
GOULSTON & STORRS, PC

\_\_\_\_\_/s/\_\_\_\_\_  
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David Avitabile

\_\_\_\_\_/s/\_\_\_\_\_  
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Lawrence Ferris

December 12, 2017