

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Further Hearing - Application No. 12226 of Temple Realty Co., pursuant to Sub-section 8207.2 of the Zoning Regulations for special exception under Sections 4101.42 and 4306.1 in the SP District to construct a new office building and approval of roof structures at 1920 N Street, N.W., Lots 14 and 831, Square 116 - to consider the following matters:

- (1) Changed environmental conditions
- (2) Parking lot continuance
- (3) Relocation plan for tenants

HEARING DATES: November 23, 1976 and May 17, 1977

DECISION DATE: June 15, 1977 (Executive Session)

FINDINGS OF FACT:

1. This case was first heard on November 23, 1976. No final Order was issued on the application.

2. The Board was aware that since the hearing on November 23, 1976 townhouses had been torn down in this neighborhood reflecting a change of character in the neighborhood; there was the issue of the continuance of the parking lot and the issue of relocation plans for tenants affected by the tearing down of a residential building on the subject site to make way for the proposed new office building. The Board, accordingly, sua sponte decided to have a further hearing on this application.

3. Applicant proposes to erect an office building in the SP Zone, to be occupied by non-profit organizations and/or professional persons in accordance with sub-section 4101.42 of the Zoning Regulations.

4. The proposed building is planned as an eight-story structure whose density will be within the 5.5 F.A.R. permitted by the Zoning Regulations. The front of the structure will

be constructed at the property line, which is 25 feet from the curb line. Planting will be provided in front of the structure in public space and a closed court is incorporated in the building's interior. Two levels of underground parking, with entrances from the rear of the building, are included in the plans.

5. Under the applicable regulations, 29 parking spaces are required if less than 25% of the structure is devoted to medical or dental offices. If a larger percentage of structure's gross floor area is devoted to medical or dental offices, additional spaces will be required. As presently designed, the building provides 41 parking spaces plus bicycle storage racks.

6. The roof structure to be located on the proposed office building will contain mechanical equipment, stairs, and elevator equipment, and will be built to a F.A.R. of 0.34, with an area of 3,430 square feet. This is below the allowable area for a roof structure in a building of this size, which is 3,669 square feet (0.37 F.A.R.). The facade of both the roof structure and the building will be red brick to match the surrounding buildings.

7. The proposed use of the structure is similar to uses already existing in Square 116, which is developed and utilized mainly for office use.

8. This application was duly referred to the District of Columbia Municipal Planning Office, whose Zoning Division, on September 29, 1976, filed an extensive report recommending approval of the application on grounds, inter alia, that this area is within a Central Employment Area, close to Dupont Circle Metro Station, and well served by public transportation.

9. The matter was also duly referred to the Department of Transportation, which suggested that fewer parking spaces be made available than the building presently proposes to have. The number of spaces recommended by the Department could not, however, be provided on one level of parking, as the application is presently framed.

10. There was also testimony by Stephen Petersen, a traffic consultant, demonstrating that the traffic to be

generated by the proposed building can be easily handled by the existing access to the site and will not impact on the nearby streets.

11. The site of the proposed building includes an existing parking lot, which was approved by the Board on a two-year basis, and which would be eliminated by the proposed building, thereby effecting some reduction in traffic levels in the immediate area.

12. Opposition to the granting of this application was voiced by the Advisory Neighborhood Commission, the North Dupont Community Association and the Dupont Circle Citizens Association on the grounds that the tearing down of the aforementioned townhouses did not change the character of this block of "N" Street so substantially as to warrant a grant of the application; that the size and character of the proposed building would not be in harmony with the remaining buildings on said street; that because continuation of parking lots is opposed that any type of development is preferable to the parking lot and that desirable housing is being eliminated; increased traffic; the stability of the existing SP area is lessened because of so many office buildings; and that the architecture of the proposed building does not conform to the subject street.

13. Construction of the proposed building would require demolition of a 65 year old apartment house presently on the site. This apartment house is in a decaying condition and applicant, its owner, has indicated that the building cannot feasibly be remodeled. The owner will attempt to make apartments available at other sites it owns for tenants displaced from the existing apartment house. At the time of the last hearing, only eight persons remained as tenants in the building.

14. The scale and character of the proposed building are generally in accord with the character of the area especially now considering that the townhouses which had been across from the site to the north have been demolished.

CONCLUSIONS OF LAW:

Based on the above findings of fact and the evidence of record, the Board concludes that the proposed roof structure meets the requirements of Sections 3308 and 4306 of the Zoning Regulations. The facade of the roof structure harmonizes with both the facade of the proposed building and nearby structures. The F.A.R. of the roof structure is well within the maximum permitted F.A.R., and approval of the roof structure is in harmony with the general purpose and intent of the Zoning Regulations.

The Board further concludes that the proposed use will be in harmony with existing uses on neighboring and adjacent properties, and that the proposed office building will not create dangerous or otherwise objectionable traffic conditions; that the granting of the relief sought herein will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring property in accordance with said Zoning Regulations and Maps. Accordingly, it is ORDERED that the application is GRANTED.

VOTE:

3-1-1 (Charles R. Norris, William F. McIntosh and
Leonard L. McCants, Esq. to grant; Theodore F.
Mariani to deny; Lilla Burt Cummings, Esq.,
by proxy, abstained)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 6 JUL 1977

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.