

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13810 of Dewey Development, Inc., pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.44 to construct an SP office and apartment building in an SP-1 District at the premises 1615 New Hampshire Avenue, N.W., (Square 155, Lot 249).

HEARING DATE: August 11, 1982
DECISION DATE: September 1, 1982

FINDINGS OF FACT:

1. The subject property is located at the northeast corner of the intersection of New Hampshire Avenue and Corcoran Street, N.W. and is known as premises 1615 New Hampshire Avenue, N.W. It is in an SP-1 District.

2. The subject property is generally triangular in shape and contains 6,660 square feet of land area. The site is vacant. The site has approximately 100 feet of frontage on New Hampshire Avenue to the northwest, 136 feet on Corcoran Street to the south, 110 feet along the northeast property line and approximately twenty feet of frontage along a fifteen foot public alley to the east.

3. The site is bounded on the northeast by professional offices and an embassy in the SP-1 District. To the north, west and southwest are residential, institutional professional and government offices in the SP-1 District. To the east across the public alley is a mixed commercial/residential use and residential uses further to the east and south of the site in the R-5-B District.

4. The applicant proposes to construct a five story office and apartment building with a total gross floor area of 26,640 square feet. The first three floors and a portion of the fourth floor will be devoted to office use which will contain 16,650 square feet of floor area. The remaining portion of the fourth floor and all of the fifth floor will be devoted to residential use containing 9,990 square feet of floor area.

5. The proposed building will have two entrances. The office occupants will enter from New Hampshire Avenue. Residents will enter from Corcoran Street and will use a

separate lobby and elevator to reach the fourth and fifth floors.

6. There will be a maximum of twelve apartment units comprising seven one-bedroom units and five studio efficiencies. If market conditions permit, some units could be combined to provide two-bedroom units.

7. The building has been designed to be compatible with the Victorian and Georgian style architecture of the neighborhood. The structure will have a brick and stone facade with a heavily rusticated base, and a large cylindrical corner tower with conical roof. The building will not duplicate any particular building in the immediate area but will incorporate the architectural feature of surrounding buildings into its design.

8. The site will be further enhanced by the planting of trees and other landscaping.

9. The proposed building has been designed within the requirements of the SP-1 District. A total floor area ratio of 4.0 is allowed. A 1.5 residential FAR and a 2.5 office component FAR is provided. A lot occupancy of 5,328.37 square feet or eighty percent is allowed. The applicant will provide 5,328.00 square feet. A rear yard of twelve feet is required. An average of 27.07 feet is provided. Residential recreation space of 999 square feet is required and 999 square feet is provided. Eleven off-street parking spaces are required and eleven spaces are provided. No off-street loading berths are required. A height of sixty-five feet is allowed and a height of sixty-five feet is provided.

10. The Dupont Circle Metrorail subway station is within a three block distance of the site. Dupont Circle also provides major access to bus lines running along Connecticut Avenue, Massachusetts Avenue, New Hampshire Avenue and Eighteenth Street, N.W.

11. Parking provided for the proposed building will be located in a single level underground garage which will provide eleven full size and one compact size parking spaces. The architect for the applicant testified that it would not be feasible to construct a second below grade parking level because of added cost. Further, the amount of space needed to ramp down to the second level would be intensive in relation to the site. The Board so finds.

12. Access to the garage will be at the rear of the building from the public alley. A circular driveway is also provided on New Hampshire Avenue.

13. A total of eleven parking spaces are required. Eight spaces are required for the office use and three spaces are required for the twelve residential units. One additional parking space which is less than the required size is provided and will be available for office use.

14. The applicant testified that long term parking spaces are available in nearby garages and that approximately forty-five curb spaces are available for short term parking within three blocks of the site. The Board so finds.

15. The applicant testified and furnished additional post-hearing evidence to the record which stipulates that the office space is anticipated to generate sixty employees. Twenty percent of the employees are expected to drive to work, twelve percent will arrive as automobile passengers, and sixty-eight percent will arrive as transit passengers or pedestrians. The Board finds that the number of parking spaces provided is adequate for the number of employees requiring parking spaces.

16. A member of the 1758 Corcoran Condominium Association, testified as a witness for the applicant in favor of the proposal.

17. The subject site is located in the Dupont Circle Historic District making the proposed building subject to the approval of the Joint Committee on Landmarks. The Joint Committee gave conceptual design approval to the project on March 17, 1982.

18. The Office of Planning and Development, by report dated August 6, 1982, determined that the special exception request met the conditions specified under Paragraph 4101.44 and the general purpose and intent of Sub-section 8207.2 and recommended approval of the application for the following reasons: (a) the application represents a mixed use SP office building similar to the mixture of uses in the immediate neighborhood; (b) the height and bulk of the building is in keeping with the predominantly medium height and bulk of neighboring properties; (c) the architectural character of the building is compatible with the Dupont Circle Historic District; and (d) the Dupont Circle area is well served by Metrorail and bus and in addition to the parking provided, the proposed use will not create dangerous or other objectionable traffic conditions. The Board concurs with the findings and recommendation of OPD.

19. The applicant submitted a letter dated February 17, 1982 addressed to it from the Dupont Circle Conservancy which stated the Conservancy's support of the proposal.

20. Advisory Neighborhood Commission 2B, by letter dated August 5, 1982, stated its support of the application with the "contingency" that there be at least one two-bedroom unit incorporated in the proposal. The ANC agreed with the scale of the structure, the architecture and the mixed use aspects of the proposal. However, concern was expressed that there was a general lack of two-bedroom units in the community to attract families with children. The Board concurs generally with the ANC recommendation. In its conditioning the grant, the Board will allow the applicant leeway to provide two-bedroom units.

21. A letter in opposition had been received from the owners of a condominium unit at 1748 Corcoran Street, N.W. The owners do not reside in the District of Columbia and stated, without any specific grounds, that their opposition was based on a need to protect their investment. The Board is unable to find a basis for such objection.

22. The General Grand Chapter Order of the Eastern Star by letter dated August 11, 1982, and by testimony at the public hearing expressed opposition to the application. The Order of the Eastern Star occupies a building located at 1618 New Hampshire Avenue directly across from the subject site. The Order opposed the application because of the anticipated traffic that will be generated by the proposal and that the proposed use will exacerbate existing parking problems. The representative of the Order of the Eastern Star testified that in her opinion the proposed building was in keeping with the character of the existing community. The witness individually had no opposition to the application. The opposition was expressed as a representative of the said Order. The Board finds that there is not likely to be any significant adverse traffic or parking consequences as a result of the proposal.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires proof of compliance with the requirements of Paragraph 4101.44 of the Zoning Regulations, a showing that the proposed use can be permitted without an adverse impact on the use of neighboring property, and a showing that the proposed use is in harmony with the general purpose and intent of the Zoning Regulations and Maps. The Board concludes that the applicant has met the requirements of Paragraph 4101.44. The use, height and bulk of the proposed building are in harmony with existing uses and structures on neighboring property. The proposed mix of residential and office use is in keeping with the commercial, residential and institutional uses in the neighborhood and the SP District. The building is designed to meet all the

requirements of the SP-1 District. It is designed to reflect many architectural features of adjacent and nearby structures. The subject site is located in the Dupont Circle Historic District and has been given conceptual approval by the Joint Committee on Landmarks. The Board concludes that the office and residential use will not create dangerous or other objectionable traffic conditions.

The site is located in an area well served by public transportation. The proposed off-street parking is adequate to meet the parking needs of future residents and office employees. Additional off-street parking is available for lease within a three block radius of the site. Because of the small size of the site additional on-site structured parking is impracticable and unreasonably costly.

The Board concludes that it has addressed the issues and concerns of the ANC and that it has accorded the ANC the "great weight" to which it is entitled.

The Board further concludes tha the application is in harmony with the general purpose and intent of the Zoning Regulation and Maps and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED subject to the following CONDITIONS:

1. Construction shall be in accordance with Exhibit No. 26A of the record except that the residential units shown as units 41 and 42, 54 and 55, and 44 and 45 on that exhibit may be combined in order to provide two bedroom units if market conditions in the area warrant larger residential units.
2. A minimum of three parking spaces shall be reserved for the exclusive use of the residential units.

VOTE: 3-1 (Charles R. Norris and Lindsley Williams to grant; William F. McIntosh to grant by proxy; Douglas J. Patton opposed to the motion by proxy; Connie Fortune not voting, not having heard the case).

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

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: DEC - 3 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.

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