

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 15001, of the American Home Economic Association, pursuant to 11 DCMR 3108.1, to amend BZA Order No. 9702, dated July 8, 1969 to eliminate the condition requiring Board approval of a non-profit organization occupying the top three floors, and a special exception under Section 508 to allow an office for an international organization, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person to occupy the fourth through sixth floors in an SP-1 District at premises 2010 Massachusetts Avenue, N.W., (Square 95, Lot 2).

HEARING DATE: February 22, 1989  
DECISION DATE: March 1, 1989

FINDINGS OF FACT:

1. The site is located on the south side of Massachusetts Avenue, N.W. between 20th Street to the east and 21st Street to the west, and is known as 2010 Massachusetts Avenue, N.W. (Square 95, Lot 2). The site is located in an SP-1 District.

2. The site is generally rectangular in shape, and is a through-lot which fronts on Massachusetts Avenue on the north as well as P Street, N.W. on the south. The site contains approximately 7,747 square feet. The entire site is located within the Massachusetts Avenue Historic District.

3. The site is occupied by a six-story building constructed in 1969 pursuant to Board Order No. 9702, dated July 8, 1969. At that time the site was zoned SP. The building is constructed of brick and glass, extends from lot line to lot line so that no side yards are provided, contains twenty-three on-site parking spaces, and has a roof structure.

4. The SP-1 District in which the site is located extends along both sides of Massachusetts Avenue for the block between 20th and 21st Streets. The north side of P Street west of the site is zoned C-2-A, while the south side of P Street west of the site is zoned C-2-B. Farther west along P Street is a C-2-C District. South of the site along 20th Street is an SP-2 District. East of the site along the south side of P Street is a C-3-C District, and on the north side of P Street is a small parcel of un-zoned property owned by the Federal Government. Along the north side of Massachusetts Avenue, east of the site, is a C-3-B District.

West of the site on the north side of Massachusetts Avenue is an SP-1 District and along the south side of Massachusetts Avenue is an R-5-B District. Abutting the site to the west is a four-story office building, and farther to the west is the four-story Indonesian Embassy. East of the site is the Blaine Mansion which contains a variety of retail and office uses.

5. The neighborhood in which the site is located contains commercial and institutional uses. There are embassies in the area, hotels, and other residential uses. Across Massachusetts Avenue are several mixed-use commercial buildings, the Embassy Row Hotel, a church, and an office building. Both sides of P Street east and west of the site contains a variety of commercial uses, including many small shops and restaurants. East of the site is the Dupont Circle area which is an active retail center.

6. The Board has authority to grant a special exception for office use in an SP-1 District pursuant to Section 3108 and Section 508 of the Zoning Regulations. Order No. 9702 approved of SP-type offices for the first three floors of the building. The top three floors, however, were approved for SP professional offices, with the condition that "should any portion of the top three floors of the proposed building be leased to a non-profit organization, such organizations must be approved by the Board of Zoning Adjustment." The Order also approved the occupancy by the Future Homemakers of America of the fifth floor of the building, and indicated that the Future Homemakers of America's occupancy was not limited to any specific floor or location within the building.

7. The American Home Economics Association (AHEA) currently owns the premises at 2010 Massachusetts Avenue. AHEA is a non-profit organization concerned with improving the quality of the home. AHEA currently occupies the basement, first, third and portions of the fourth and sixth floors, and leases the remaining floors to SP-type office users.

8. The Optical Society of America (OSA) is the contract purchaser of the property. OSA is a non-profit organization whose members engage in various high technology fields related to optics. OSA proposes to occupy the basement, first, third and sixth floors of the structure. It proposes to lease the second, fourth and fifth floors to other SP-type office users.

9. The applicant requested that the condition of the Board's Order requiring Board approval for occupancy by a non-profit organization in the top three floors be eliminated, and that the office of an international organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person including a non-profit

organization be permitted to occupy the top three floors without Board approval.

10. Board Order No. 9702 approved a six-story office building whose facade would be composed of "face brick, rose range, aluminum frames and plate glass." The material and colors of the roof structure would also be face brick in the rose range. The Board determined that approving this building was in harmony with the intent and purpose of the Zoning Regulations and would not adversely affect the use of nearby and adjoining property. OSA proposes to make very minor alterations to the facade of the building. Because the building is located in the Massachusetts Avenue Historic District, these modifications have been submitted to and have received conceptual design approval by the Historic Preservation Review Board at its January 18, 1989 public meeting.

11. The applicant's traffic consultant testified that the proposed use of the site would not create dangerous or other objectionable traffic conditions. The traffic consultant testified that the site is well-served by public transportation, including twenty-three Metro Bus routes and being located within a two minute walk of the Dupont Circle Metrorail station. The consultant further stated that, based on the excellent public transportation in the area and the proposed occupancy of the building, it is expected that no more than twenty-five percent of the employees would drive automobiles to work. The traffic consultant concluded that this is equivalent to a demand for twenty-one parking spaces.

12. The traffic consultant testified that there are twenty-three parking spaces provided in the building, and that these spaces were adequate to serve the building's employees. The consultant further testified that there is also space available at nearby public parking garages if there are additional visitors to the site that require parking.

13. The Office of Planning (OP) by memorandum dated February 15, 1989, recommended approval of the application. The OP believes that the AHEA's occupancy of the site for the last eighteen years has not been incompatible with adjacent uses and the Dupont Circle community. There have been no dangerous or other objectionable traffic conditions. The OP is of the opinion that the relief sought would not adversely affect the established use of the building.

14. No report was received from Advisory Neighborhood Commission (ANC) 2B.

15. A representative of the Residential Action Coalition (RAC) testified in opposition to the application. The RAC representative testified that the original application in BZA No. 9702 never should have been granted because it allowed the destruction of an older building and the construction of the present building on the site. She stated the original application was "spot zoning." She was also opposed to the current application under BZA No. 15001 because the AHEA was planning to leave the District of Columbia. The Board finds RAC's concerns not to be relevant to the issues before the Board in Application No. 15001.

CONCLUSIONS OF LAW AND OPINION:

Based on the Findings of Fact and the evidence of record, the Board concludes the applicant is seeking a special exception, the granting of which requires a showing through substantial evidence that the applicant has complied with the requirements of Section 508 and to eliminate the condition from Board Order No. 9702, which requires Board approval for a non-profit organization to occupy the top three floors of the subject structure.

The Board concludes the applicant has met its burden of proof and the condition of Board Order No. 9702 should be eliminated. The Office of an international organization, non-profit organization, labor union, architect, dentist, doctor, engineer, lawyer or similar professional person occupying the top three floors of the building will be in harmony with the existing use of the building and the use of neighboring property. The existing building is presently used and permitted to be used for SP offices on the lower three floors with no adverse impact to adjoining and nearby property. Use of the top three floors for the same SP offices will be harmonious with the character of the neighborhood.

The Board concludes that the height, bulk, and design of the building will continue to be in character with neighboring property. The building was constructed under Board Order 9702 and at that time, it was determined that the design was in keeping with existing structures in the community. The minor alterations proposed by the applicant have been approved by the Historic Preservation Review Board.

The Board concludes that the proposed use of the entire building as SP offices will not create any dangerous or other objectionable traffic conditions. The site is well served by public transportation. Numerous bus lines operate in the vicinity and there is easy access to the Metrorail system. Twenty-three parking spaces are provided in the building which will adequately serve the buildings' employees.

There are also other commercial parking garages in the neighborhood to meet other needs.

The Board further concludes that the applicant has complied with the requirement of Section 3108 and that the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations, and will not tend to affect adversely the use of neighboring properties. The proposed SP office use is consistent with the mixture of uses found in the neighborhood. There are a variety of building types and uses in the neighborhood, including other office, retail and residential uses. The proposed SP-type office uses will be in harmony with the area. The Board also finds that no special treatment is necessary in the way of design, screening of buildings, accessory uses, signs, or other facilities. Accordingly, it is hereby ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, William F. McIntosh, Paula L. Jewell, Maybelle Taylor Bennett and Carrie L. Thornhill to approve).

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

ATTESTED BY:

  
EDWARD L. CURRY  
Executive Director

FINAL DATE OF ORDER: \_\_\_\_\_

MAR 17 1989

UNDER 11 DCMR 3103.1, "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 CONSUMER AND REGULATORY AFFAIRS.

15001order/LJP47

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



APPLICATION No. 15001

As Executive Director of the Board of Zoning Adjustment, I hereby certify and attest to the fact that a copy of the Order of the Board in the above numbered case, said Order dated \_\_\_\_\_, has been mailed postage prepaid to each party who appeared and participated in the public hearing concerning this matter, and who is listed below:

Norman M. Glasgow, Jr., Esquire  
Wilkes, Artis, Hedrick & Lane  
1666 K Street, N.W., Suite 1100  
Washington, D.C. 20006

Residential Action Coalition  
c/o Catherine McCarron  
1524 T Street, N.W.  
Washington, D.C. 20009

  
\_\_\_\_\_  
EDWARD L. CURRY  
Executive Director

DATE: \_\_\_\_\_