



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

December 10, 2015

Marnique Heath, AIA
Chairperson
Board of Zoning Adjustment
441 4th Street NW, Suite 200S
Washington, DC 20001
bzasubmissions@dc.gov

RE: 1772 Church Street NW (BZA #19133)

Dear Chairperson Heath:

At its regular meeting on December 9, 2015, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With 8 of 9 Commissioners in attendance, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (6-2-0):

Whereas, at 1772 Church Street, NW, St. Thomas’ Parish Episcopal Church proposes to build a church and developer CAS Riegler proposes to build a residential building as additions to the protected ruins of St. Thomas’;

Whereas, ANC 2B respects St. Thomas’ right to use the land at 1772 Church Street, NW for religious purposes without undue economic burden;

Whereas, ANC 2B values the contributions St. Thomas’ Parish has made to the community;

Whereas, 1772 Church Street, NW is located in the Dupont Circle Historic District, and as such has protections to assure that alterations of existing structures are compatible with the character of the historic district, and to assure that new construction and subdivision of lots in an historic district are compatible with the character of the historic district;

Whereas, the lot at 1772 Church Street, NW is included in the Dupont Circle Overlay District, which recognizes that “[t]he Dupont Circle area is a unique resource to the District of Columbia that must be preserved and enhanced” and that “[s]trong protections are needed to retain”, among other things, its low scale, predominately residential human scale streetscapes, and historic character given the high-density development pressures caused by its proximity to the Central Employment Area and the Dupont Circle Metrorail Station (section 1501.1);

Whereas, the purpose of the Dupont Circle Overlay District includes, among other things, “requir[ing] a scale of development consistent with the nature and character of the Dupont Circle area in height and bulk; and...ensur[ing] a general compatibility in the scale of new buildings with older, low scale buildings by restricting the maximum permitted height and floor area ratio of new buildings to that of the underlying zone;...[p]rotect[ing] the integrity of ‘contributing buildings’...; [and e]nhanc[ing] the residential character of the area by...controlling the scale, location, and density of commercial and residential development” (section 1501.4);

Whereas, the historic district and historic overlay designation supersede the underlying zoning and may result in a development being unable to maximize the height and density otherwise allowed by the underlying zoning regulations;

Whereas, the submission to the Board of Zoning Adjustment from J. River 1772 Church Street, LLC and St. Thomas’ Parish Episcopal Church requests a variance to increase lot occupancy to 86.7%, an increase of 6.7% above the maximum 80%;

Whereas, the review conducted by the Historic Preservation Review Board (HPRB) did not consider zoning restrictions and, hence, its concept approval is not relevant to the issue of increased lot occupancy;

Whereas, in its December 1st letter to the Chairperson and BZA Board, the applicant stated “Theoretically, the only location to remove building footprint is at the rear (south)...”, however, there are other options for the potential setback;

Whereas, ANC 2B respectfully disagrees with the applicant that “the only location to remove building footprint is at the rear (south) along the alley because the other facades must remain for design or historic preservation purposes”;

Whereas the developer has failed to address why additional setbacks from 18th St. are not possible;

Whereas the variance application rests on a practicality argument that is not convincing. The ANC does not believe that maintaining historic conditions in an historic district is a practical difficulty that would necessitate a lot occupancy variance and the applicant understood the underlying historic district and zoning overlays before designing the project;

Whereas historic requirements may be commonly used as evidence of a practical difficulty, from a neighborhood perspective the ANC does not believe that the decisions of the Historic Preservation Review Board necessitate a zoning variance;

Whereas, the July 23rd HPRB resolution encourages “the applicant [to] work with staff to develop a landscape design along 18th Street to maximum the extent of vegetation.” And the addition of an additional +1000 sq. ft. on 18th St. would serve the public good;

Whereas, the ANC has worked with community, developers, and Church to develop a Memorandum of Understanding (MOU) which would address quality of life issues, however was unable to reach consensus and finalize a document;

Whereas, nothing in the application for a zoning variance has persuaded ANC2B to change its prior position that both the residential and church structures in the project should comply with the requirements of DC law and policy and with the letter and the spirit of historic preservation, zoning, and zoning overlay provisions; and

Whereas, the majority of residents who have contacted ANC2B about the project have expressed opposition to the requested variance for an increased lot occupancy, expressing concerns, among other things, about the increased traffic and adverse effects on parking, airflow and light in the neighborhood that would result.

Therefore, be it RESOLVED that ANC2B opposes the application for zoning relief and urges the Board of Zoning Adjustment not to approve a variance from Section 532.1 for residential lot occupancy of 86.7%.

Be it further resolved that ANC2B request the applicant work with HPO staff to set the building back 6.7% from 18th St. and to “develop a landscape design along 18th Street to maximum the extent of vegetation” and green space as per the July 23rd HPRB actions.

Commissioners John Kupcinski (anc2b07@gmail.com), Daniel Warwick (daniel.warwick@dupontcircleanc.net), and Noah Smith (noah.smith@dupontcircleanc.net) are the Commission’s representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in black ink that reads "Noah Smith". The signature is written in a cursive, flowing style.

Noah Smith
Chairman