

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Cochran, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: January 20, 2015
SUBJECT: BZA Case 18903, Unit 2A, 1601 18th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval with conditions**, of a special exception to permit the use of Unit 2A at 1601 18th Street, N.W. as an office in the DC/SP-1 zone, pursuant to §3104 and the additional criteria in §508, and subject to the following:

- o Occupancy shall be limited to 30 persons (as it is now).

II. LOCATION, SITE DESCRIPTION AND PROPOSAL

<p>Applicant: Distance Education and Training Council Address: 1601 18th St., NW, Unit 2A Legal Desc.: Square 155, Lot 2288</p>	<p>Ward and ANC: 2B Comp Plan: Moderate Density Residential Historic District: Non-contributing structure within Dupont Circle Historic District.</p>
<p>Zoning: DC/SP-1 (permits by-right development of moderate and medium density residential and office uses, but does not permit retail uses or PUDs).</p>	<p>Proposal: Allow the unit’s certificate of occupancy to accurately reflect the office use to which the same non-profit trade association has put the space since 1962. The most recent available certificate of occupancy is for a “private club, 30 persons maximum”, which is permitted in the zone without a special exception.</p>
<p>Lot/Existing Building Features: The 3,178 sf ground-floor unit is entered from the lobby of a 10-story apartment building constructed on the northeast corner of 18th St./New Hampshire Ave. and Q St., N.W. in the early 1960’s, and which has other non-residential units on the same floor.</p>	
<p>Adjacent Properties: Professional office/residential townhouse to east; non-profit townhouse to north</p>	
<p>Neighborhood Character: Historic. 3-4 story rowhouse-type structures with residential, diplomatic and non-profit uses; 8 to 10 story medium and high-density apartment buildings; small scale retail uses on 17th Street.</p>	



III. OFFICE OF PLANNING ANALYSIS

Would the use, height, bulk and design be in harmony with existing uses and structures on neighboring properties?

Yes. Height, bulk and design are not applicable to the application, which concerns only a change in the certificate of occupancy category. Although used for over 50 years as the offices of a non-profit organization for persons, institutions and businesses engaged in what is now called “distance learning”, the applicant’s certificate of occupancy has been for a “private club” since 1980. That certificate of occupancy permits use by an organization for a common avocation purpose such as an educational purpose.

If the applicant had, prior to January 20, 1999, secured a certificate of occupancy for the non-profit organization, § 501.3 of the special purpose zone regulations would have permitted it to continue operating as a general office use without seeking relief. Because it did not, the applicant is now requesting a special exception to continue operating the same use with a certificate of occupancy for an office use.



Google street view from southwest (above) and from northwest (below)



Would the use create dangerous or other objectionable traffic conditions?

No. A change in the certificate of occupancy would have no impact on traffic conditions. With the recommended condition, the space would have the same number of users and would not generate any more visitors than it does now. The location is within one block of several north/south and east/west bus lines and is two blocks from the Dupont Circle metro station.

Would the use require special treatment with respect to design, screening, accessory use limitations, signage, etc. to protect the value of neighboring property?

No. The applicant is not proposing any changes to the building's exterior, and signage and interior operations are adequately regulated by the building's condominium association. From the outside, the use does not appear to be any different than the residential uses within the building.

Would the light and air of adjacent buildings be adversely affected and would the special exception tend to adversely affect the use of neighboring property?

No. There would be no new exterior construction, and the proposed use and user has been operating in the same location for over fifty years.

Would the intent and purpose of the zoning regulations be materially impaired?

No. The proposed use is consistent with the uses permitted in the zone.

IV. COMMENTS OF OTHER DISTRICT AGENCIES

No other District agencies had filed reports at the time this OP report was written.

V. COMMUNITY COMMENTS

ANC 2B was scheduled to consider the application on January 14, 2015. The ANC's Zoning, Preservation and Development Committee has recommended that the full ANC adopt a positive recommendation on the application.