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John Patrick Brown, Jr.  
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March 10, 2015

**BY ELECTRONIC MAIL**

Mr. Matthew Le Grant  
Zoning Administrator  
Department of Consumer and Regulatory Affairs  
1100 4<sup>th</sup> Street, S.W.  
Room 3100  
Washington, D.C. 20024

**Re: 1042 Wisconsin Avenue, N.W.  
Square 1188, Lot 113 ("Property")**

Dear Mr. Le Grant:

This firm is counsel for the owner of the Property which is requesting this zoning determination that the entire Property can be occupied for permitted non-residential purposes. Specifically, we are requesting your written determination that the proposed use of the entire improved Property by Soul Cycle (first floor cycling and fitness studio; second floor as its offices) will be permitted as a matter-of-right without any off-street parking.

1. The Property is zoned W-1 as shown on the attached Zoning Map, Exhibit A.
2. The Property is located in the Georgetown Historic District.
3. The Property is improved with a two-story without basement commercial structure that was built in approximately the late 1800's and occupies almost the entire lot. As originally constructed prior to May 1958, the improved Property has a gross floor area of approximately 7,804 square feet configured with 3,787 square feet on the first floor and 4,017 square feet on the second floor. The Property has never provided any off-street parking and was constructed prior to any parking being required. Exhibit B (Photograph).
4. The owner proposes to lease the entire improved Property to Soul Cycle, an indoor cycling and fitness facility. [www.Soul-Cycle.com](http://www.Soul-Cycle.com). The first floor will be used for the cycling and fitness activities; the second floor will be used as the offices for the Soul Cycle facility.



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5. The Property has a lot area of 4,455 square feet and a lot occupancy of 4,017 square feet (90%). The Property as it was improved prior to 1958 has a gross floor area of approximately 7,804 square feet or an FAR of 1.75. In the W-1 Zone, the permitted lot occupancy is 80% and non-residential FAR is 1.0. As a result, the existing building is a legally non-conforming structure which can be used for conforming uses.

6. In the W-1 Zone, a “group instruction center or studio” and an office use are both permitted as a matter-of-right. 11 DCMR §901.1 (m) and (p).

7. There is no record of the Property being used for residential purposes. A review of DCRA records show the following history of exclusively non-residential Certificates of Occupancy, including:

CERTIFICATE OF OCCUPANCY NUMBER (DATE)	PERMITTED USE	FLOOR(S) OCCUPIED	NOTE (ZONE)
B12060 (June 25, 1958)	Makers of Door Trims, Also Work in Plastics, Aluminum & Bronze (Light Manufacturing)	1 <sup>st</sup> Floor	(C-M-2)
B16339 (August 6, 1959)	Refinishing and Making Furniture	2 <sup>nd</sup> Floor	Previous use Storage of Heavy Machinery (C-M-2)
B 30521 (August 2, 1961)	Furniture Repair & Refinishing	2 <sup>nd</sup> Floor	Prior C of O No. B16339 for Refinishing & Making Furniture (C-M-2)
B 41120 (March 26, 1964)	Art Studio & Architect’s Office	Part of 2 <sup>nd</sup> Floor	(C-M-2)
B 47171 (August 14, 1964)	Sale of Tapes & Records (Sound Recording) No Storage	Part of 2 <sup>nd</sup> Floor	Prior C of O No. B41120 (C-M-2)



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<b>CERTIFICATE OF OCCUPANCY NUMBER (DATE)</b>	<b>PERMITTED USE</b>	<b>FLOOR(S) OCCUPIED</b>	<b>NOTE (ZONE)</b>
B 49769 (December 31, 1964)	Light Manufacturing of Metal Door Hardware	All of 1 <sup>st</sup> Floor Part of 2 <sup>nd</sup> Floor	Prior C of O No. B 47171 (C-M-2)
B72749 (December 5, 1969)	Printing Stationary	1 <sup>st</sup> & 2 <sup>nd</sup> Floor	Prior C of O B 49769 (C-M-2)
B 73502 (February 18, 1970)	Motion Picture Film Editing and Processing	2 <sup>nd</sup> Floor	Prior C of O No. B 72749 for Printing Stationery 1 <sup>st</sup> and 2 <sup>nd</sup> Floor (C-M-2)
B112519 (March 6, 1979)	Pool "N" Patio Shop-Selling Patio Furniture and Related Supplies	1 <sup>st</sup> Floor	(C-M-2)
CO 41995 (September 30, 2002)	Restaurant/Seating Capacity (40)	1 <sup>st</sup> Floor	Prior C of O 21078 (10/15/01) Change of Ownership (W-1)
CO 60954 (August 26, 2003)	Restaurant/Seating Capacity (40)	Part of 1 <sup>st</sup> Floor	Change of Ownership (W-1)
CO 67989 (December 30, 2003)	Restaurant (40 Seats)	Part of 1 <sup>st</sup> Floor	Change of Ownership (W-1)
CO 74139 (April 16, 2004)	Restaurant & Café (40 Seats)	1 <sup>st</sup> Floor (sic)	Change of Ownership (W-1)
CO 88083 (December 3, 2004)	Restaurant Seating Capacity (72)	1 <sup>st</sup> Floor	Load Change (W-1)

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<b>CERTIFICATE OF OCCUPANCY NUMBER (DATE)</b>	<b>PERMITTED USE</b>	<b>FLOOR(S) OCCUPIED</b>	<b>NOTE (ZONE)</b>
CO 91739 (February 16, 2005)	Restaurant/Seating Capacity/143	1 <sup>st</sup> Floor	Load Change (W-1)
CO 0900292 (November 3, 2008)	Restaurant	1 <sup>st</sup> Floor	Occupancy Load 150 (W-1)

Exhibit C (Certificates of Occupancy).

8. No additional parking is required for the proposed uses of the first and second floor. The requirement for providing additional parking is governed by 11 DCMR §2100.4 which provides:

Except for historic resources as defined in §2120.2, when the use of a building or structure is changed to another use that requires more parking spaces than required for the use existing immediately prior to the change or, if the building or structure is vacant, the use that existed immediately prior to the vacancy, parking spaces shall be provided for the additional requirement in the amount necessary to conform to § 2101.

a. First Floor: The use is changing from restaurant (retail) to group instruction center or studio (service) with both retail and service uses imposing the same parking requirements in the W-1 Zone.

b. Second Floor: The use is changing from motion picture film editing and processing (service) to office. In the W-1 Zone, a service use requires in excess of 3,000 square feet, 1 parking space for each additional 750 square feet of additional gross floor area ( $4,017sf - 3,000 = 1,017sf/750 = 1.356$ ) or one (1) additional parking space. For the new office use, the W-1 Zone requires in excess of 2,000 square feet, 1 parking space for each additional 1,800 square feet of gross floor area ( $4,017sf - 2,000 = 2,017sf/1,800 = 1.12$ ) or one additional parking space.

As a result, for both the first and second floor, the proposed change of uses require the same level of parking and no additional parking is required. Although no additional parking is required, the Property would also be eligible for a parking waiver as a “historic resource” contributing to the character of the Georgetown Historic District. 11 DCMR §§2120.2, 2120.3.



GREENSTEIN DELORME & LUCHS, P.C.

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Based on this analysis, we believe that the proposed use of the entire improved Property by Soul Cycle (first floor cycling and fitness studio; second floor as its offices) is permitted as a matter-of-right without any off-street parking.

If you agree with this analysis, I would greatly appreciate receiving a letter confirming your determination. For your convenience, I have also enclosed a draft confirmation letter for your review. If you need any additional information, or have any questions, please let me know.

Thank you for your assistance in this matter.

Very truly yours,

GREENSTEIN, DELORME & LUCHS, P.C.

A handwritten signature in blue ink, appearing to read "JPB", is written over a horizontal line. The signature is stylized and includes a long, sweeping horizontal stroke extending to the right.

John Patrick Brown, Jr.

Enclosures