

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



October 17, 2012

Robert Richardson
National Housing Trust – Enterprise Preservation Corporation
1101 30th St, NW, Suite 400
Washington, DC 20007

Re: 3145 Mount Pleasant Street, NW (Lot 0836, Square 2595) - Reconstruction of North Tower

Dear Mr. Richardson:

This letter confirms the substance of our discussion on July 5, 2012 regarding the proposed reconstruction of the north tower of the property located at 3145 Mount Pleasant Street, NW (Lot 0836, Square 2595), and our subsequent communications. You informed me that you are the development partner of the current owner, the 3145 Mount Pleasant Street Tenants' Association, and have applied for funding to reconstruct and renovate this property as affordable rental housing.

As discussed at the meeting on July 5th with you and your architect, Maybell Laluna of Wiencek & Associates, the property is zoned C-2-A and is located within the Mount Pleasant Historic District. The property has been determined to be a "certified historic structure" contributing to the historic district by the National Park Service of the U. S. Department of the Interior as evidenced by the attached certification.

The subject property is a single building comprised of two towers connected by an elevator shaft and common stairwell. The project was damaged by a fire in March of 2008 which destroyed all the north tower of the building except for the façade facing the street and a small portion of the side wall to the north. The building is a nonconforming building devoted to conforming uses constructed before the current zoning laws were enacted.

Proposed reconstruction plans were reviewed during our meeting reflecting the reconstruction of a substantially similar building in terms of volume, height, number of floors, rear and side setbacks, and use. Since that meeting, you have further revised the proposed building plan to more precisely follow the previous building footprint, as reflected on the attached plans.

The building height will be the same as the south tower, and the same as the former north tower. The building will be comprised of four stories and a basement, which is similar in configuration to the previous north tower. The side setback will be 14 feet and 0 inches, exceeding the current zoning requirement of at least 8 feet 4 inches (50' 0" building * 2 = 100 inches, or 8 feet 4 inches). The building area will be 55,435 square feet, which is a smaller volume than the previous building (approximately 57,580 square feet). Lot occupancy will be 61%, which is close to the 60% lot occupancy allowed under current zoning, and similar to the previous building.

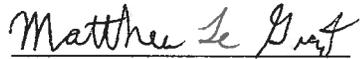
In summary, the height, number of floors, side setback, and use all meet current zoning requirements. The floor area ratio will be smaller (2.9 FAR) and have less impact than the previous building (3.03 FAR), although it would not meet the current zoning requirements (2.5 FAR) for a newly constructed building. The lot occupancy will be similar to what existed before and very close to current lot occupancy requirements.

During our meeting we determined that the proposed building footprint is substantially the same as the destroyed building footprint, meets current side yard use zoning standards, yields a somewhat smaller volume building, and maintains the same height and number of floors as the previous building. We also discussed that 11 DCMR 2001 governs nonconforming structures devoted to conforming uses, and that 11 DCMR 2001.9 specifically provides that a nonconforming structure devoted to conforming uses, and which is certified to contribute to a historic district, may be restored or reconstructed to its previous condition as a matter of right.

As a result of these facts, I have determined that the proposed plan for the building is considered a reconstruction of the building under 11 DCMR 2001.9, that the proposed reconstruction of the north tower of 3145 Mount Pleasant Street, NW is permitted under 11 DCMR 2001.9, and that the building is therefore not subject to the zoning requirements or standards of a newly constructed building.

Please let me know if you have any further questions on this matter.

Sincerely,


Matthew Le Grant
Zoning Administrator

Attachments