

**Staff Report**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Crystal Myers, Case Manager

*JL* Joel Lawson, Associate Director Development Review

**DATE:** March 29, 2019

**SUBJECT:** BZA Case #19953 – 945 Florida Ave. NW for a bar/lounge penthouse

**I. OFFICE OF PLANNING RECOMMENDATION**

The Office of Planning (OP) recommends **Approval** to permit a rooftop bar/lounge, per C§1500.3

**II. LOCATION AND SITE DESCRIPTION**

Address	945 Florida Ave NW
Applicant:	Goulston & Storrs on behalf of Atlantic Residential C, LLC and Florida Avenue Residential, LLC
Legal Description	Square 2873, Lot 0799
Ward / ANC	Ward 1; ANC 1B
Zone	MU-10
Historic District or Resource	N/A
Lot Characteristics	Irregular shaped lot between Florida Avenue and 9 <sup>th</sup> ST NW
Existing Development	A 10-story hotel and residential building that is currently under construction
Adjacent Properties	A mixed-use building with a grocery store is to the north and a condominium building is to the south.
Surrounding Neighborhood Character	Moderate to high density mixed-use neighborhood

**III. PROJECT DESCRIPTION**

The Applicant is constructing a mixed-use building with a residential apartment tower on its northern end, a hotel tower on its southern end, and a single roof shared by both towers<sup>1</sup>. This relief request would permit 3,500 sq.ft of mostly indoor bar/lounge area in the center of the hotel tower’s side of the roof. The bar/lounge would be operated by the hotel’s ground floor restaurant operator.

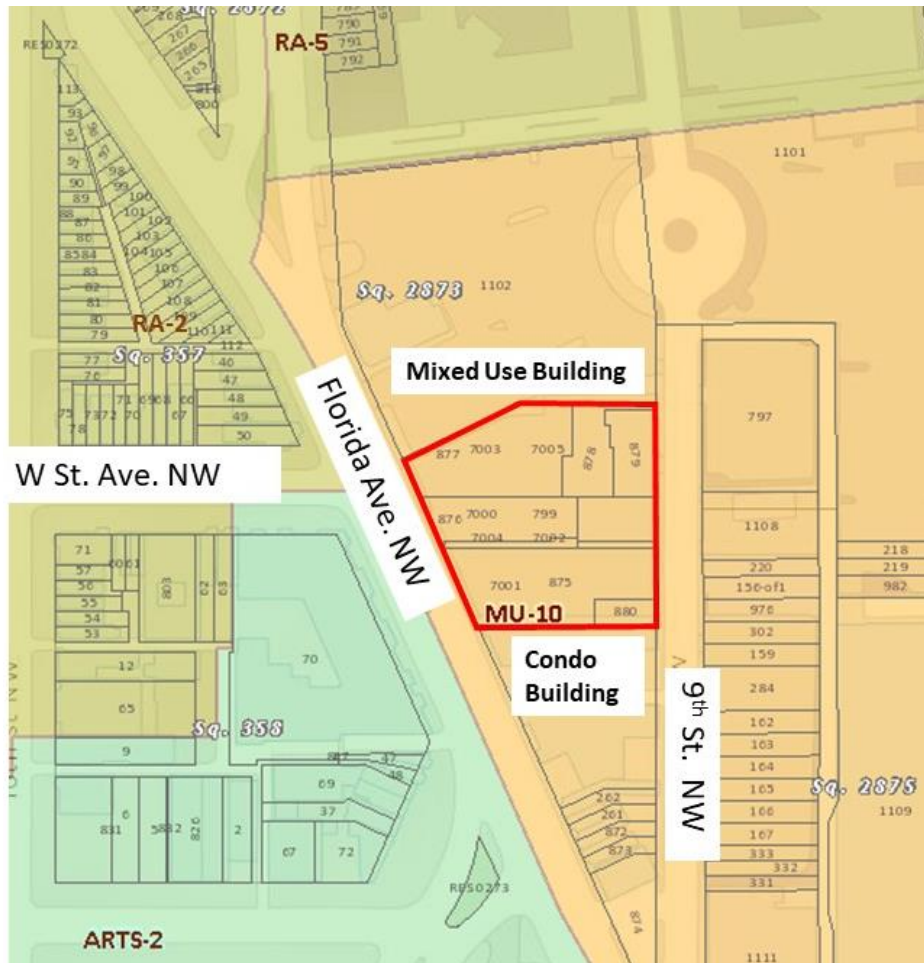
<sup>1</sup> A separate application to allow loading area flexibility has been filed as Case 19955.

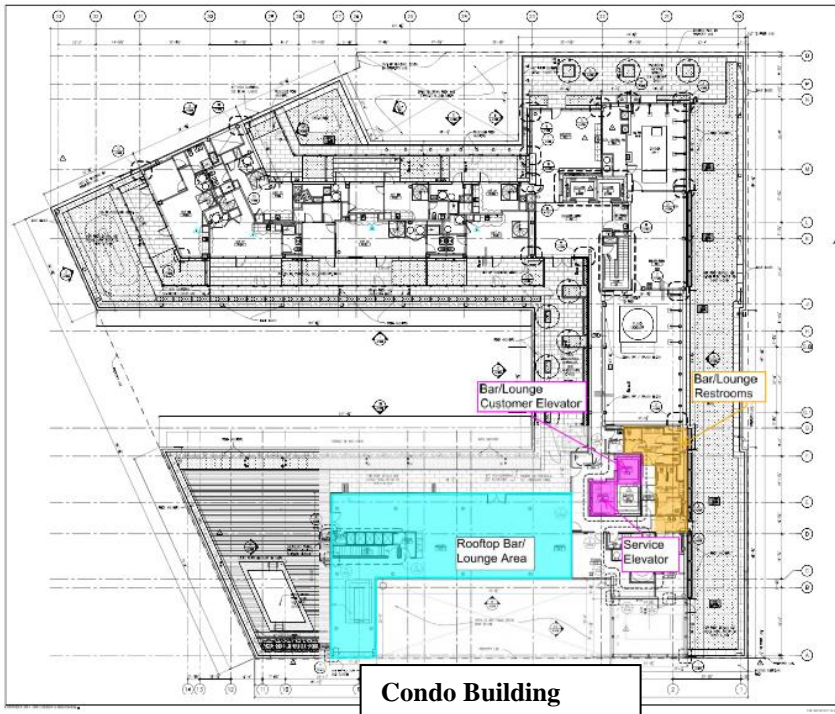
In the daytime, it would only be open to residents and hotel guests. On weekday evenings and weekends, it would be open to the public.

As of now, the operator has not been selected so details about the bar/lounge's operations have not been determined. When the Applicant applies for their liquor license, the hours of operation and management of the amplified music would be determined through the ABRA review process. The application states the intent to have reasonable rules and regulations in place to minimize the potential for negative impacts of the bar/lounge activities on their own residents and hotel guests, as well as the residents in the surrounding buildings.

This proposal is subject to the affordable housing requirement for penthouse space. The applicant has estimated an approximately \$89,705 contribution would be provided to the Affordable Housing Trust Fund – the exact amount will be determined at the time of building permit application for the penthouse space.

#### IV. LOCATION MAP





## V. OFFICE OF PLANNING ANALYSIS

### Special Exception Relief pursuant to X § 900

*Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

The proposal would be in harmony with the general purpose and intent of the Zoning Regulations. The site is zoned MU-10 which permits a mix of medium to high density uses. A rooftop bar/lounge is compatible with the uses permitted in the zone and is a customary component to a hotel.

*Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;*

The proposal should not adversely affect the use of the neighboring properties. The neighborhood has a mix of moderate to high density land uses. The condominium building to the south would be adjacent to the bar/lounge but most of the bar/lounge activities on this side would be indoors. The pool and deck area would also be part of the bar/lounge but the plantings would provide screening between the penthouse uses and the neighboring condominium building. The applicant should confirm that all deck lighting would be down-lighting and sited to avoid light spill.

Across Florida Avenue on the western side of the building is a mix of apartments and rowhouses in the RA-2 zone. The bar/lounge would be on the southern end of the building so furthest away from these properties.

## VI. COMMENTS OF OTHER DISTRICT AGENCIES

A DDOT report noting no objection to the proposal has been filed at Exhibit 35. As of the writing of this report, no other District Agencies have submitted comments to the record.

## VII. COMMUNITY COMMENTS

ANC 1B submitted a report in support of the proposal, (Exhibit 32).