

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: June 2, 2015
SUBJECT: BZA Case 18967, 5401 16th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception:

- § 1553.2 (max. 10% non-residential gross floor area (GFA) expansion permitted; 11% proposed).

II. LOCATION AND SITE DESCRIPTION

Address	5401 16 th Street, N.W.
Legal Description	Square 2718, Lot 44
Ward	4C
Lot Characteristics	Polygon-shaped lot with rear alley access
Zoning	SSH/R-1-B SSH: Sixteenth Street Heights Overlay District R-1-B: Low density residential
Existing Development	Place of worship, permitted in this zone.
Adjacent Properties	North and South: One-family detached dwellings East: Across the public alley, small apartment buildings and triple attached dwellings West: Across 16 th Street, Rock Creek Park
Surrounding Neighborhood Character	Mixture of institutional uses and low density residential

III. APPLICATION IN BRIEF

Construction of a second floor addition to the Worship Building to accommodate a new Worship Hall, and conversion of the existing Worship Hall to a dining room and kitchen. The dining room would be used to serve meals to the worshippers following services. No increase in worshippers or expansion of the intensity of the site are proposed.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

SSH/R-1-B Zone	Regulation	Existing	Proposed	Relief
Height § 400	60-feet and 3 stories max. ¹	43 feet, 4 inches and three stories ²	43 feet, 4 inches and three stories	None required
Lot Width § 401	50-foot min.	100 feet	100 feet	None required
Lot Area § 401	5,000 sq. ft. min.	22,876 sq. ft.	22,876 sq. ft.	None required
Floor Area Ratio § 402	None prescribed	--	--	None required
Lot Occupancy § 403	60 % max.	34%	34%	None required
Nonresidential Gross Floor Area § 1553.2	10% max. increase	12,692.39 sq. ft.	1,567.11 sq. ft. or 11% increase	Required
Rear Yard § 404	25-foot min.	25.75 feet	25.75 feet	None required
Side Yard § 405	5-foot min. for pre-1958 buildings (church office)	5 feet	5 feet	None required
Off-Street Parking § 2101	20 spaces min.	20 spaces	20 spaces	None required

V. OFFICE OF PLANNING ANALYSIS

i. Special Exception Relief pursuant to § 1553.2

A proposed new nonresidential use or an expansion of an existing nonresidential use in excess of ten percent (10%) of gross floor area shall be permitted as a special exception, if approved by the Board of Zoning Adjustment after public hearing, in accordance with § 3104 and subject to the following requirements:

- (a) *The nonresidential use is capable of being established and operated without adversely affecting the use and enjoyment of neighboring and nearby properties due to traffic, noise, design, or other objectionable conditions; and*

The nonresidential use has been in existence at the subject property since 1991. No changes in the number of people accommodated on or attracted to the site are proposed, with the proposal designed to better accommodate existing church functions internally within the Worship Hall building. Therefore, the expansion to the Worship Hall building should not adversely affect neighboring and nearby properties.

- (b) *There shall be adequate, appropriately located, and screened off-street parking sufficient to provide for the needs of the maximum number of occupants, employees, congregants, and visitors who can use the facility at one time; provided:*

¹ Section 400.6 of the Zoning Regulations permits churches to be erected to a height of 60 feet in the R-1-B, provided the church building does not exceed three stories.

² Worship Hall building

- (1) *The number of parking spaces provided shall be not less than the number required by chapter 21 of this title and shall be located and designed so that they have the least objectionable effects on contiguous or nearby property because of noise, traffic, or other objectionable conditions;*

Twenty off-street parking spaces are required pursuant to Section 2101 of the Zoning Regulations and 20 spaces are provided.

- (2) *Parking spaces and driveways providing access to them shall not be located in a required side yard, or on the lot between the principal building and a street right-of-way, nor in public space abutting the lot;*

No new parking spaces or driveways are required or proposed. The applicant proposes to continue to use the existing spaces. No parking spaces are located on the lot between the principal building and the street right-of-way, or within public space.

- (3) *If five (5) or more open parking spaces are provided, the parking spaces shall be screened from all contiguous residential property by a wood fence or a wall made of brick or stone at least twelve inches (12 in.) thick and forty-two inches (42 in.) high, or by evergreen hedges or evergreen growing trees that are thickly planted and maintained and are at least forty-two inches (42 in.) in height when planted; and*

The existing twenty-space parking lot, which pre-dates the adoption of the Sixteenth Street Heights overlay, is screened from contiguous residential property to the north by a six-foot wooden fence. On the south the parking is screened by an existing brick wall that is forty-eight feet high and eight inches thick. Although the brick wall on the south side of the lot is less than the minimum twelve inches now required, this wall predates the regulations and no increase in or changes to the parking are required as a result of this proposal.

- (4) *Any lighting used to illuminate open parking spaces shall be so arranged that all direct rays of lighting are confined to the surface of the paved area devoted to parking; any lighting provided shall be the minimum necessary for reasonable visibility by drivers and for security purposes.*

The applicant informed OP that all lighting fixtures are aimed at the surface of the lot.

ii. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The existing church is a conforming use within the SSH/R-1-B zone district and the proposal would permit the expansion of an existing church building without increasing the intensity of that use or converting a residential building to an institutional use.

iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposed addition would not accommodate an increase in activity or an increase in the number of people on the property at any one time. It would allow for the addition of a dining room to permit the applicant to dedicate separate spaces for worship and dining. The second story addition above the existing Worship Hall would be less than the existing three-story tower at the front portion of the building at the front of the building and within the maximum height limits permitted within the R-1-B zone district.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VII. COMMUNITY COMMENTS

ANC 4C, at its regularly scheduled meeting of April 8, 2015, voted to oppose the application.

Adjacent neighbors to the north and south submitted letters to record in support of the application.

Attachment: Location Map

