

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: October 20, 2015
SUBJECT: BZA Case 19090, 300 Florida Avenue, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 3401.2, Green Area Ratio (0.30 required, 0.057 proposed).

While OP would typically strongly oppose requests for relief from GAR, in this instance, the unique difficulties associated with the site combined with the very commendable intent of the applicant to renovate a long vacant building and improve the public space result in the OP position of support.

II. LOCATION AND SITE DESCRIPTION

Address	300 Florida Avenue, N.W.
Legal Description	Square 519, Lot 73
Ward	5, 5E
Lot Characteristics	The rectangular corner lot is 1,198 square feet in area, with 18.18 feet of frontage along Florida Avenue, and 15.96 of width along the ten foot wide public alley. The 70 foot long side lot line abuts 3 rd Street.
Zoning	C-2-A – provides facilities for shopping and business needs, housing, and mixed uses.
Existing Development	Row dwelling, permitted in this zone.
Historic District	Not applicable.
Adjacent Properties	Adjacent properties along Florida Avenue tend to be of a similar size and type of development. Some row dwellings are occupied as residences, while others have been converted to restaurant or service uses.
Surrounding Neighborhood Character	The surrounding neighborhood character is mixed use, consisting predominantly of row dwellings used for residential purposes, and infused with commercial uses that include convenience stores and restaurants.

III. APPLICATION IN BRIEF

The applicant proposes to renovate the interior of a row dwelling to accommodate a restaurant, which is a permitted use in the C-2-A District. The row dwelling consists of 3,354 gross square feet, divided between a basement and two floors, and no exterior additions are proposed with this application. The applicant proposes to improve the public space located east of the structure so that it will accommodate an outdoor seating area, and has been working with DDOT to ensure that all improvements comply with public space requirements.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

C-2-A Zone	Regulation	Existing	Proposed	Relief
Height § 770	50 ft. max.	36 ft.	36 ft.	None required
Floor Area Ratio § 701	2.5	2.8	2.8	Existing Nonconforming
Lot Occupancy § 772	100% max.	98%	98%	None required
Green Area Ratio § 3401	0.30	0.007	0.057	Required

V. OFFICE OF PLANNING ANALYSIS

b. Special Exception Relief pursuant to § 3401

- i. **Is providing the GAR impractical as a result of equivalent sustainability measures already being implemented on the property that achieve the intent of the GAR through methods not available through the GAR requirement?**

Green Area Ratio (GAR) is the ratio of the weighted value of landscape elements to land area, and was implemented to increase the quantity and quality of environmental performance of the urban landscape. GAR ratio is predominantly increased through the installation of landscape elements, such as soil of a certain depth, plantings, or permeable paving. Additions to the roof that include green roofs or solar PV are also granted considerable weight in the GAR ratio calculation. The applicant has demonstrated that providing GAR on the subject site is impractical given the lack of open space and limited space on the roof, and has proposed to meet the intent of the regulations through substantially improving the environmental performance of the adjacent public space.

The property, which is 1,198 square feet in area, is developed with a row dwelling that occupies 98% of the lot (1,174 square feet). The remaining open space on the lot is at the rear of the dwelling, where the trash enclosure is located. As a result, the applicant is unable to install a variety of landscape elements, which would achieve the ratio necessary to comply with GAR. The applicant has provided small improvements where possible, including a vertical vegetated wall surrounding the trash enclosure that covers an area of 40 square feet, garnering some of the green area required for the site.

The applicant has submitted letters from two separate energy entities verifying that due to the multiple pitches on the roof and the lack of space remaining after the installation of required mechanical equipment, a solar photovoltaic (PV) system cannot be installed on the roof. One utility also notes that due to the height of mechanical equipment, the resulting shade would reduce the already minimal impact that a PV system on this particular roof may have. One utility suggests that

the applicant purchase green energy, and OP would support this as an alternative means of achieving the intent of GAR.

The public space abutting the east property line is 1,863 square feet in area, which is larger than the subject lot. While land located in public space does not belong to abutting properties, property owners may implement landscape designs subject to the approval of the Public Space Committee. The applicant in this case has designed the public space to be integral to the operations of the restaurant, while still complying with the Public Space Regulations, and continues to work with the Public Space Committee to solidify the plans. The design of the public space includes an outdoor seating area, which is typical of restaurants, as well as landscape soil, landscaping, and permeable pavers. More significantly, the trees located in public space will produce apple cider varietals that will be harvested by and used in the restaurant. These enhancements to the public space would increase its permeability, while creating a more attractive street presence.

In general, OP does not support the idea of potential applicants claiming GAR credit for improvements to public space; however, in this case, the applicant has proposed to significantly improve the appearance of the space, will increase its environmental performance, and it will be integral to the operation of the restaurant. When the public space area is combined with the subject property, the proposed GAR increases from 0.057 to 0.331, which is greater than the required ratio of 0.3.

OP agrees that the subject property presents unique difficulties in complying with GAR given its current conditions. The applicant's proposed alternative of significantly enhancing the adjacent public space and making it an integral component of restaurant operations meets the intent of the GAR, which is to improve the attractiveness and environmental performance of the urban landscape.

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

The proposed request would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The applicant has proposed a use that will revitalize a site along a prominent corridor that has been vacant and deteriorating for several years. The restaurant will activate the corner and provide significantly improved public space. While the site will not comply with GAR, the proposed improvements would improve the environmental performance, which is the intent of the regulation.

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

The proposal does not appear to adversely affect the use of neighboring property. The proposed restaurant would improve a long-neglected corner on Florida Avenue, and would enhance the environmental performance of the property and public space. The applicant has obtained several letters and signatures in support of the project. In addition, the ANC has unanimously supported the request for relief.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

It is anticipated that DDOT will file a report under separate cover.

VII. COMMUNITY COMMENTS

The applicant has filed several letters and signatures of support to the file.

At its regularly scheduled meeting on September 15, 2015, ANC 5E voted unanimously to support the requested GAR relief.

Location Map

