GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: May 6, 2003

SUBJECT: BZA Application #17009 (RWN Development Group)
1700 Kalorama Road, N.W. (Square 2567, Lots 81)

BZA
Case No. 17009
Exhibit No. 26

APPLICATION

The application by RWN Development Group (Applicant) requests, pursuant to 11 DCMR 1403 and 3104.1 a special exception, to increase the height of the building to 50-feet and pursuant to 11 DCMR 773 and 3102.2 a variance from the residential recreational space. The subject property is zoned RC/C-2-A.

SUMMARY RECOMMENDATION

The Office of Planning (OP) supports the mixed-use development on the subject site. The granting of this variance and special exception will not be detrimental to the health and welfare of the residents of the area and recommends a condition that the applicant provide a covenant for the provision of the low and moderate-income housing.

SITE AND AREA DESCRIPTION

The subject property, 1700 Kalorama Avenue, N.W. (Square 2567, Lot 81), is located in the northwest quadrant of the intersection of Kalorama Road and 17th Street in the Reed-Cooke area of the Adams Morgan neighborhood. The 22,004 square feet lot is currently developed with a 2-story office building.

The subject site is surrounded by a variety of residential, commercial retail, office, and industrial uses. To the northwest of the site is a one-story building that house the United Way and the DC Superior Court Northeast Field Office and a 3-story warehouse building. Tothe northeast, at the intersection of Kalorama Road and 17th Street, is a large building that formerly housed a roller rink and is sometimes used as an auction house. To the east of the site, along 17th Street, are 2- and 3-story rowhouses, apartments and a small, neighborhood store at the Kalorama Road/17th Street intersection. To the south and west of the site are predominantly 2-and 3 story rowhouses and apartments. Immediately west of the site is a 2-story office building.

Board of Zoning Adjustment
District of Columbia
CASE NO. 17009
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PROPOSAL

The applicant proposes to convert an existing commercial building to mixed use. The 12,885 square feet of space on the ground floor will be dedicated to the Patricia M. Marie Sitar Center for the Arts (Sitar Center) and offices of Lynne Israel and Associates, a professional office that provides occupational therapy to children. These uses are permitted as a matter-of-right. The second floor will be converted to residential use. Additionally, the applicant is proposing 2 additional floors for residential use above the existing building and a 2-story, oval shaped addition over the existing parking garage. The residential portion of the development will have 36 condominium units, two of which will be dedicated to the required affordable dwelling units program. To support the uses, 38 parking spaces will be provided on-site.

Patricia M. Sitar Center

The Sitar Center is a non-profit organization that provides music and arts education and is currently operating at 2525 Ontario Road, N.W. The organization has outgrown the space at the current location and is looking to relocate in-order to serve a larger segment of the community. The Sitar Center currently serves 160 students (140 children and 20 adults) and it is projecting that, by relocating to the subject property it will be able to serve up to 225 children and 75 adult students. However, it is projected that the number of students at the site at any one time will be between 50 and 60. The hours of operation will be 9:00 am - 12 noon and 3:30 - 7:30 pm on Mondays; 3:30 – 7:00 pm on Tuesdays and Wednesdays; 3:30 – 8:00 pm on Thursdays; 3:30 – 6:00 pm on Fridays; and 12 noon – 3:00 pm on Saturdays.

The entrance to the center will be along Kalorama Avenue using a time card for entrance into a foyer area. Since the Sitar Center is a community arts center that provides services to residents of the area, a majority of the students are from the immediate neighborhood and approximately 70% will walk to and from the center without an adult or they are adult students. The remaining 30% of the students are dropped off and picked up by their parents.

ZONING REQUIREMENTS

The subject site has a base zoning of C-2-B and is within the Reed-Cooke Overlay District (RC). Buildings in the C-2-B District may be entirely for residential use or a mixture of commercial and residential uses. Generally, the purpose of the RC District is designed to protect existing housing, provide for new development, and encourage small-scale business development that does not affect the residential uses. This districts limits the heights of buildings in the C-2-B District to 40 feet.

The Reed Cook Overlay District, adopted May 29, 1987 and amended April 26, 1991 (Zoning Commission Orders 523 and 523A), was to implement the objectives of the Reed-Cook Special Treatment Area of the Comprehensive Plan. At that time, the area was predominantly zoned R-5-B and C-M-2 and many residential properties that were in the C-M-2 zones and were being converted to commercial uses. The overlay was adopted to protect these residences and introduce additional residences with community serving retail uses.

Table 1 outlines how the proposed development meets the zoning requirements:

Table 1

Item	Required/Allowed	Provided	Variance/SE
Lot Area	N/A	22,003 sq. ft.	N/A
Rear Yard	15 ft.	17 ft.	N/A
Lot Occupancy	80%	80%	N/A
FAR	3.5 residential 1.5 commercial; or 3.5 overall	3.41	N/A
Parking Spaces	34	38	N/A
Height	40 ft. max. in the RC Overlay District	50 ft. on a portion of the building	10 ft. or 25% (SE)
Residential Recreational Space	15% or 7,790 sq. Ft.	5.85% or 3,036 sq. ft.	4,754 sq. ft. or 9.25%

ANALYSIS

SPECIAL EXCEPTION

Exception to the Height Requirement in the Reed-Cooke Overlay District

1402.1 The maximum height permitted in the RC Overlay District shall not exceed forty feet (40 ft.) plus roof structure as defined in this title; provided, that in the RC/C-2-B Overlay District, the Board of Zoning Adjustment may approve a maximum height of fifty feet (50 ft.) with appropriate setbacks from the street, plus roof structures, subject to determination by the Board that the project will provide for the on-site construction or substantial rehabilitation of low and moderate income household units, as defined by the regulations of the Department of Housing and Community Development, of a total gross floor area equal to fifty percent (50%) of the additional gross floor area made possible by this exception.

In the base C-2-B Zone the maximum height is limited to 65-feet. However, the RC Overlay limits the heights to 40 feet with a possibility to increase it to 50-feet if 50% of the additional space is dedicated to low-moderate income residents and meet the criteria outlined in Section 1403.1. The increase in height will be limited to a small portion of the site to the rear of the building. Fifty percent of the additional space gained by the increase in height equates to 2 of the 36 units proposed.

Section 1403.1 of the Zoning Regulations requires that any exceptions to the requirements of the Reed-Cooke Overlay District meet the following conditions:

1403.1 (a) The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purposes of the RC Overlay District;

The proposed development with a mixture of residential and non-residential uses advances and supports the purposes of the RC Overlay by providing new housing and non-residential uses that will serve the local community. The Sitar Center will be able to accommodate more students and provide more activities for the residents of the neighborhood.

(b) Vehicular access and egress shall be designed and located so as to minimize conflict with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic condition;

The existing building has a two-story parking garage serving that will be retained. Egress into the parking garage is via an entrance on 17th Street and via the alley to the west of the site. These entrances have functioned efficiently and the will not change with the new uses on the site. Pedestrian access to the Sitar Center and the condominiums will be from separate entrances along Kalorama Road and will not conflict with vehicular access.

(c) Adequate off-street parking shall be provided for employees and for trucks and other service vehicles;

Section 2101 of the Zoning Regulations requires 12 spaces for the residential use, and 3 spaces for the Sitar Center, and medical office for a total of 15 spaces. The applicant has proposed 38 parking spaces, 35 for the residences and 3 for the ground floor uses. Because the Sitar Center serves members of the immediate community, a majority of the users walk to the center and therefore parking should not be a problem. Trucks and other service vehicles will utilize on-street parking that is available along Kalorama Road and 17th Street.

The Sitar Center has indicated that they will need between 6 and 10 parking spaces for staff, volunteers, and parents. Each of their three spaces will be tandem spaces and capable of fitting 2 cars per space. The applicant proposes to furnish lifts to enable each space to park 3 cars for a total of 9 spaces and will therefore meet the needs of the Sitar Center. (See attached sample)

(d) If located within a C-2-B District, the use shall not be within twenty- five feet (25ft.) of a Residence District, unless separated there from by a street or alley;

This regulation envisions that there would be a commercial use in the building and therefore this requirement was needed to protect adjacent residences. The existing building was constructed prior to this regulation and does not need the distance requirement. However, the proposed conversion to residential use will be compatible to the adjacent residential zones and the conversion is more consistent with the adjacent residential uses.

(e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences;

The proposed residential use will not introduce any excessive noise into the area. The Sitar Center will introduce more persons into the area but all activities will be indoors and therefore will not adversely affect the neighborhood. The students will enter and exit from the Kalorama Avenue entrance and therefore the impact on the residential streets should be minimal.

(f) No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted; and

The proposed uses on the site will not allow any outdoor storage, processing, repairs and fabrication on the site.

(g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area.

The conversion of the existing building to a mixed-use development will be of great benefit to the community as it will accommodate residences as called for in the Reed-Cooke Overlay and will also be a home for the Sitar Center that provides a service as well as being a cultural center for many neighborhood families. Even with the addition of two floors, the general size and scale of the building will be within that permitted by the underlying zone. The area that exceeds the height limit is a small portion of the building to the rear of the building and will not affect adjacent properties. The proposed uses on the property will be more beneficial to the neighborhood as the prior office use were closed in the evenings and activity on the site was limited. With the residences and the Sitar Center, there is likely to be more activity in the vicinity of the building and therefore provide more security to the area.

VARIANCE

Residential Recreational Space

Section 773.3 of the Zoning Regulations requires that an equivalent of 15% of the gross residential floor area, 7,790 square feet, be dedicated to residential recreational uses. The applicant proposes to provide 3,3036 square feet (5.8%) of recreational space and is therefore seeking variance. The following demonstrates how the requested variances meet these standards of Section 3103.3:

The property is unique by reason of its exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situation or condition;

The subject property is unique due to an exceptional situation caused by the shape of the lot and the fact that a portion of the building is been converted from commercial to residential use. Providing the full requirement of recreational space would limit the number of residential units provided. Further, the existing building is at its maximum lot occupancy and is impacted by the need to provide space for the

infrastructure of the building. Additionally, one of the proposed users of the space in the building has some special space requirements that need to be accommodated in this building and therefore require additional space.

By reason of the aforementioned unique or exceptional condition of the property, the strict application of the Zoning Regulations will result in peculiar and exceptional practical difficulties or to exceptional and undue hardship upon the owner of the property.

Providing all the requirements of the RC/C-2-B District in addition to the infrastructure requirements of the Building Code on this property has created some conflicts. If the applicant is required to meet all of these requirements, then the number of residential units would be very minimal and would not be cost effective. Further, the RC overlay restricts the development potential of a C-2-B zoned property but retained the full recreational requirement.

The variance will not cause substantial detriment to the public good and will not impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Granting the variances from the recreational requirements will not impair the intent, purpose, and integrity of the Zoning Regulations. The reduction is necessary due to the lack of ground space and if the full percentage were provided it would mean less residential units. The applicant is providing some space that will adequately serve the residents and so will be consistent with the intent of the Zoning Regulations. Further, many of the residential units have private terraces. The Sitar Center has agreed to make the space available (such as their "green room") to residents of the condominium or neighborhood organizations for meetings on a prearranged basis. The Adam-Morgan neighborhood offers many opportunities for recreational enjoyment in close proximity to the site.

COMMUNITY COMMENTS

ANC-1C and the Reed-Cooke Neighborhood Association voted on April 2, 2003 and April 8 2003 respectively to support the requested variance and special exception requests.

SUMMARY AND RECOMMENDATION

The requested variance and special exception will allow a residential development that is compatible with exiting uses, will bring new residences to the area and will meet the intent of the Zoning Regulations. The Office of Planning recommends that the Board of Zoning Adjustment **APPROVE** the variance and special exception requested with the condition that the applicant provide a covenant for the provision of the low and moderate-income housing.

Attachment

1. Aerial of Site and Surrounding Area
2. Custom Lifts

AA/mbr



Feature Key

- Zoning Boundaries
- Square Index

Board of Zoning Adjustment

Application No. #17009

1700 Kalorama Road, N.W.

DC Office of Planning

April 29, 2003

Scale 1:2457

25 0 25 50 75100 Feet

Attachment 1

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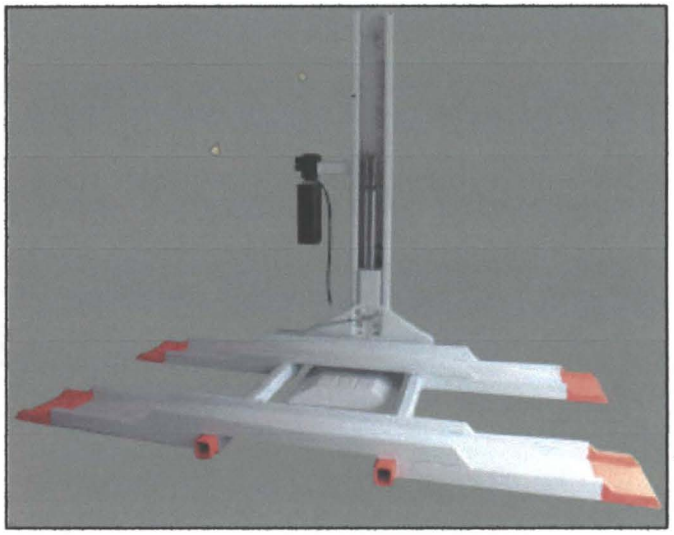
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