D.C. ZONING
2003 MAY 13 PM 5:01

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: JLS for Andrew Altman

DATE: May 20, 2003

SUBJECT: BZA Case No. 17012
Jemal's Benjo LLC -Variance Requests

APPLICATION

APPLICATION

The application by Jemal's Benjo LLC requests, pursuant to 11DCMR 3103.2, the following variances;

1. Section 770, Height of Buildings
2. Section 771, Floor Area Ratio
   a. Total FAR
   b. Residential FAR
3. Section 773, Residential Recreation space
4. Section 774, Rear Yard

The structures that are subject to this application are in the C-2-A District. The subject premises are at 1301-1309 9th Street, N.W., Square 399, Lots 62, 63, 800, 801, 803 and 804.

SUMMARY RECOMMENDATION

The Office of Planning cannot make a recommendation at this time. OP did not receive a final copy of the pre-hearing statement in time to review for the required OP filing deadline.

OP is still working with DDOT to address issues regarding potential parking requirements, loading area, and rear building access. OP will issue a supplemental report after the review.

BZA
Case No. 17012
Exhibit No 28

Board of Zoning Adjustment
District of Columbia
CASE NO. 17012
EXHIBIT NO. 28

SITE AND AREA DESCRIPTION

The subject properties are located at 1301-1309 9th Street, N.W., and are comprised of Lots 62, 63, 800, 801, 803 and 804 in Square 399. The site is on the northeast corner of 9th & N Streets, and is bounded by O Street to the north, N Street south, 8th Street to the east and 9th Street to the south. There is a gasoline service station that abuts the northern-most (1309 9th St.) portion of the subject buildings. The new convention center is south of the subject site, directly across N Street. There is a 15-foot wide north-south public alley to the east of the site and row structures, which are used for commercial purposes, are to the west. The referenced properties contain five buildings that are either two or three stories in height, and date back to the 19th Century and have been determined to contribute to the Shaw Historic District. The buildings are on approximately 30,338 square feet of land. These buildings are in poor condition and are boarded and vacant. The conceptual massing of the site has been approved by the HPRB.

APPLICANT'S PROPOSAL

The applicant purposes to stabilize and completely renovate five existing buildings, (located at 9th N & Streets, NW) and provides retail services on the ground floor and office on the second and third floors. The project will also include new storefronts and façade repairs. The applicant further proposes to build a new five-story addition behind the rear of the existing buildings. The new addition will offer retail on the ground level, office uses on the second and third floors, and residential units on the forth and fifth floors. There will be six apartment units, five of which will be two-story units. The project will also include a significant roof terrace at the southeast corner of the roof of the proposed building. The basement and ground floor will house mechanical and storage space for the entire building, approximately 1500 square feet of which is attributable to building density (FAR). A large trash room, which will be at the rear of the first floor, is be undertaken by the applicant, in an effort to enhance vector control on the square. Prior to construction, the applicant must stabilize the existing buildings, salvaging as much historic fabric as possible and clear the site of collapsed construction materials.

ZONING ANALYSIS

The subject site is zoned C-2-A, a zoning district that provides facilities for shopping and business needs, housing, and mixed uses. C-2-A base zoning permits a density of up to 2.5, FAR, of which no more that 1.5 may be non-residential, building heights of up to 50 feet, and lot occupancy of 60%. There is also a requirement that the portion of a building devoted to residential use provide a minimum of 20% of the maximum percentage of gross floor area as active or passive residential recreation space. The C-2-A zone further requires a minimum rear yard depth of 15%.
The following table shows the zoning requirements and how they are met by the proposal.

Area Req.	Existing	Required/Allowed	Proposed	Variance	Code Ref.
Height	36'	50'	53	3%	§770
Total FAR	1.46	2.5	3.81)	52.4% total	§771
FAR (non-residential		1.5	2.96	97%	§771
Lot Occupancy	54%	60	51%	0	§772
Rear yard	33	15'	0	100	§774
Parking	0	0 required (per §2100.5	0	None	§2100
Parking	0	Possibly 24 spaces, if §2100.6 is determined to be applicable.	0	100%	§2100.6