GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

DATE: November 15, 2004

TO: District of Columbia Board of Zoning Adjustment

THROUGH: JLS for
Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: Board of Zoning Adjustment Application #17237
Conrest Associates LP
2655 Connecticut Avenue, NW
Square 2204 Lot 834

SUMMARY

Conrest Associates LP, the owner of the subject property on behalf of The Leland Stanford Junior University, requests a special exception and three variances. The special exception request is pursuant to §1304 for relief from the requirement of §1302, which requires 50% of the gross floor area of the ground level of a building in the WP/C-2-B District be dedicated to a designated retail or service use. The existing one-story structure with basement is currently occupied as a restaurant with a small sidewalk café. The applicant proposes to use the ground floor for a kitchen to serve Stanford students and as an art display/meeting space. The art display/meeting space is intended to mitigate the adverse impacts of granting the special exception. The art display/meeting space is programmed to allow the University to share its mission and intellectual life with the neighborhood. The applicant has submitted a narrative and set of conditions that the Board could adopt, if it were to accept this use of 25% of ground floor space in lieu of the 50% designated use required.



Figure 1 2655 Connecticut Ave., NW

BZA
Case No. 17237
Exhibit No. 28

Board of Zoning Adjustment
District of Columbia
CASE NO. 17237
EXHIBIT NO. 28

The applicant also requests variances to §2001.3, which restricts additions to a non-conforming structure, §773, which requires 15% residential recreation space (7.8% provided) of which 50% must be outdoors (25.5% provided), and, §776, which requires a minimum court width of 15 feet (10 feet provided) and a closed court area of 350 square feet (230 square feet proposed). The variances are required for construction of a three-story addition that will provide dormitory space, a study, a library and lounge area.

Recommendation:
The Office of Planning recommends that the Board **deny** the requested **special exception** and **approve** the requested **variances**. Although the Office of Planning could support a reduction in the ground floor designated uses to 25%, the art display/meeting space does not come close enough to a retail/service use to meet the intent of the overlay. The applicant has shown that the tests for the variances are met and they should be granted.



Figure 2 Aerial View Looking East (Copyright 2003 Pictometry International)

Background

The subject property, at 2655 Connecticut Avenue, N.W. (Square 2204, Lot 834), is located in the WP/C-2-B Zone District (See Attachment 1). The 3,133 square-foot lot is occupied 100% by a 1-story with basement, commercial structure that is currently used as a restaurant by Thai Town Restaurant, Inc. The attached structure shares a common wall with a 4-story structure to the north and a three-story structure to the south. The structure to the north, which occupies a 4,831 square-foot corner lot is the home of Stanford in Washington program of Leland Stanford Junior University. The lot is 26.11-foot wide and 120-foot deep. The existing structure, built in 1934 is a contributing structure to the Old Woodley Park Historic District.

The Woodley Park neighborhood contains a mix of uses. To the east of the small neighborhood retail core along Connecticut Avenue, NW are predominately row houses. To the north along Connecticut are high-rise apartment buildings. To the west sit two large hotels with conference facilities and the southern boundary is Rock Creek Park. The subject property is at the northern



Figure 3 Rendering of Front of Proposed Structure (provided by Chatelain Architects)

end of the retail corridor. The Woodley Park-Zoo/Adams Morgan transit station is at the center of this area.

Project Description

The applicant proposes to add three stories on top of the existing structure. The existing structure will be substantially renovated and connected on all floors to the adjacent building to the north, which currently houses Stanford University's "Stanford in Washington" program. The new addition will provide additional space as a dormitory for students, a lounge and study room, a kitchen, dining room, library, classrooms and a distance-learning center.

The public space, a portion of which is currently fenced and gated in front of the existing Stanford building will be opened up to allow pedestrian flow in front of the two buildings. A new tree will be planted in public space in line with existing trees to provide a continuous double row of trees along both buildings. Additional benches will be placed in the public space to create an urban park along front of the existing Stanford building.

The project has received conceptual approval from the Historic Preservation Review Board. The upper floors will be set back ten feet from the front of the existing structure to minimize the visual impact of the addition on the character of the historic district. The existing façade will be restored to its original 1934 design with an expanded display window.

The roof of the existing structure will provide a terrace and green roof in the rear and the ten-foot section in the front will also become a terrace. In the front, the top two floors will contain a library that will be visible through the expansive glass on the front façade. The rear of the top two floors will provide balconies for dormitory rooms. To meet building code requirements the applicant will construct two interior staircases and an elevator.

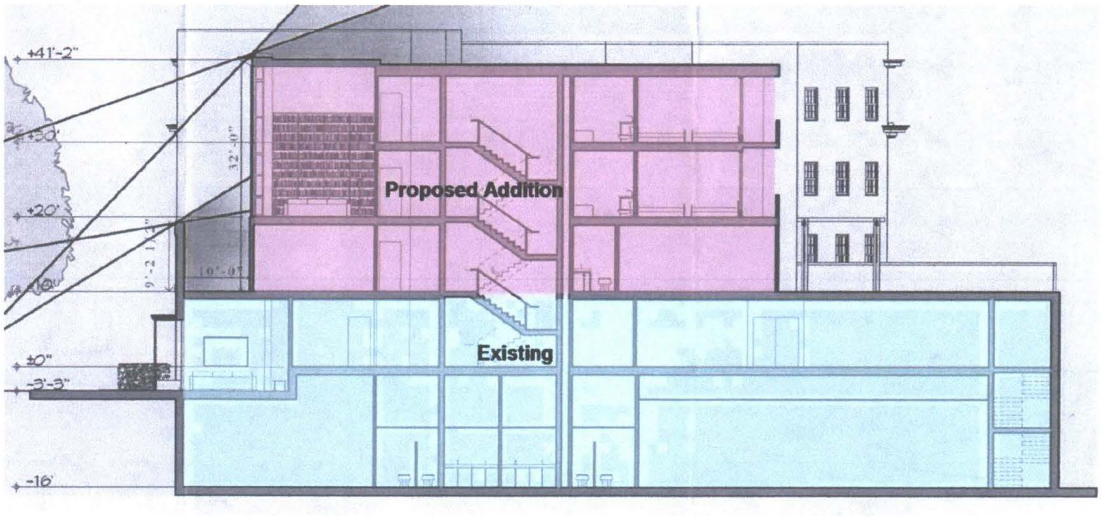


Figure 4 Seciton of Proposed Structure

Stanford has developed an extensive description of the programming for the ground floor space with the intent to share its mission and intellectual life. The art display/meeting space will be a two level-space that will offer exhibits of art and other artifacts from Stanford's California campus as well as local Washington sources. The art display area will be open a minimum of twenty days per month for periods of a minimum of five hours per day. Generally, the display space will be open to the public from 12:00 noon through 7:00 pm a minimum of three days per week and from 12:00 noon until 9:00 pm on at least two weekend days per month. The art will be lighted until at least 9:00 pm six days per week so that it is readily visible from the sidewalk. The exhibits will be changed a least four times annually. The space will be staffed by a Stanford security guard, student or employee when open to the public. A committee that will consist of representatives from Stanford, ANC 3-C and the Woodley Park Community Association will provide guidance for developing the programs and art exhibits. The space will host a minimum of four community meetings per year and four lectures per year as determined by the committee.

Comprehensive Plan

The Comprehensive Plan sets goals of stabilizing and improving the District's neighborhoods, respecting and improving the physical character of the District, and preserving the historic character of the District. The continued success of the Stanford in Washington program in this neighborhood contributes to stabilization of the neighborhood. The infill construction along with the proposed streetscape improvements will improve the physical character of the District while respecting the historic character of the Old Woodley Park Historic District.

The property is identified as low density commercial on the General Land Use map (see Attachment 2), which includes shopping and service areas that are generally low in scale, character, and activity, and that provide a limited or specialized range of retail goods and services

as the predominant uses. The removal of neighborhood commercial facilities for and institutional use is not consistent with this designation and in particular counter to the Ward 3 Land Use Element policy to protect existing low-scale neighborhood commercial centers from office and non-neighborhood-serving redevelopment and retain existing retail services (10DCMR§1409.2(e)).

Zoning

The property is located in the WP/C-2-B zone. The C-2-B zone is a community business center district designated to serve commercial and residential functions similar to the C-2-A District, but with high-density residential and mixed uses. College and University uses are permitted as a matter of right in the C-2-B zone. The Woodely Park Neighborhood Commercial Overlay District (WP) was established with the following purposes from §1300.3:

> (a) Encourage a scale of development, a mixture of building uses, and other attributes, such as safe and efficient conditions for pedestrian and vehicular movement, all of which will be as generally required by the Comprehensive Plan;
> (b) Encourage retention and establishment of a variety of retail, entertainment, and personal service establishments, predominantly in a continuous pattern at ground level, so as to meet the needs of the surrounding area's residents, workers, and visitors; and
> (c) Limit the maximum permitted height of new buildings so as to encourage a general compatibility in scale between new and older buildings.

In addition, the following purposes that are specific to the WP District from §1307.2:.

> In addition to the purposes in § 1300, the purposes of the WP Overlay District are to provide for safe and efficient pedestrian movement by reducing conflicts between pedestrian and vehicular traffic so as to improve access to retail services, the Metrorail station, and other uses in the area.

The zoning requirements are tabulated as follows:

Area Req.	Existing	Required/Allowed	Proposed	Variance	Code Ref.
Height	22.5'	50'	45.25'	None	§1307.6(b)
Floor Area Ratio(FAR)	1.56	3.0	3.0	None	§1307.7(b)
Lot Occupancy	100%	80%	100%/60%	Note 1	§772.1
Residential Rec Space	**0%**	**15%**	**7.8%**	**7.2%**	**§773.3**
Outdoor Rec Space	**0%**	**7.5%**	**3.83%**	**3.67%**	**§773.8**
Rear yard	0'	15'	0'	Note 1	§774.1
Side yard	None	None	None	None	§775.5
Court width	**None**	**4"/ft of ht. Min. 15'**	**10'**	**5'**	**§776.3**
Court area	**None**	**350 sq. ft.**	**230 sq. ft.**	**120 sq. ft.**	**§776.4**

Roof Structures	Not Provided	Various Requirements	Not Provided	Note 2	§777
Parking	0	Not Provided	0	Note 3	§2100
Loading	0	Not Provided	0	Note 4	§2200
Designated Uses	**100%[5]**	**50%**	**0%**	**50%**	**§1302.4**

[1]The existing structure is non-conforming due to lot occupancy and rear yard and therefore the addition is not permitted by §2001.3 from which relief is requested by the applicant.
[2]The application is self-certified and does not provide any information on roof structures. The Office of Planning must assume that the requirements of §411 can be met.
[3]As this is a contributing building to the historic district no additional parking is required per §2100.5.
[4]As this is a contributing building to the historic district no additional loading is required per §2200.5.
[5]The existing restaurant use is further restricted by §1302.5 and may be non-conforming.

Special Exception Analysis

The provisions of §3104.1 require that the Board find that the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property. In addition, the special conditions of §1304 must be met.

Section 3104.1

The applicant has presented the following items to justify the special exception:

1. Approximately 25% of the ground floor will be devoted to art display/meeting space.
2. The proposed programming of the space will enliven the street.
3. Reconstruction of the 1934 façade will increase visibility and attractiveness of the space.
4. The neighborhood benefits from the University's presence and related community-oriented activities that will take place in the ground floor space.

Therefore, the applicant concludes, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and will not adversely affect neighboring properties. However, the Office of Planning does not agree with the applicant. The purposes of the Woodley Park Neighborhood Commerical Overlay District and the C-2-B zone are to provide for shopping and business needs. Specifically, §1300.3(b) provides an important purpose of the Overlay District to encourage retention and establishment of a variety of retail, entertainment, and personal service establishments. To remove the subject property from this requirement reduces the amount of retail space available in the Overlay District, which the applicant's retail expert, Mr. Asadoorian, claims already lacks a critical mass of shopping related retail to be successful. The intent of the overlay is to preserve the retail viability of Woodley Park by requiring retail use at the ground floor. To reduce the amount of available retail space in the Overlay District could adversely impact the retail viability of neighboring properties.

Section 1304

The Board may consider a special exception from the provisions of the Overlay District subject to the following requirements:

(a) The excepted use, building, or feature at the size, intensity, and location proposed will substantially

advance the stated purposes of the NC Overlay District and the particular NC Overlay District, and will not adversely affect neighboring property, nor be detrimental to the health, safety, convenience, or general welfare of persons residing or working in the vicinity;

These requirements are similar to the ones discussed above under §3104.1. The applicant claims the proposed programming of the art display/meeting space will have comparable impact in meeting the purposes of the overlay as a designated use might. However, the proposed activity is very limited in hours of operation and the applicant has not shown that the anticipated programs will come close to the activity generated by a legitimate retail space.

(b) Exceptional circumstances exist, pertaining to the property itself or to economic or physical conditions in the immediate area, that justify the exception or waiver;

The applicant indicates that 42% of the ground floor is devoted to required egress and circulation. However, with a connection being created between the two existing structures at every level except the basement it is unclear that the additional elevator and staircase are truly necessary. Never the less this exceptional circumstance would only decrease the amount of space that could be provided not eliminate it. The need for the stairs and elevators are directly related to the proposed addition, therefore this exceptional circumstance is essentially self-created.

The applicant states that long and narrow nature of the building would be unappealing to most retailers. However, the building was initially constructed as a grocery store. The applicant failed to explore more options in providing some retail space in the site and admits there are four other buildings on the block with similar widths although most are restaurants.

Finally, the applicant claims that the market conditions of the area are exceptional circumstances. These conditions are that the market is extraordinarily small, the natural barrier of Rock Creek Parkway to consumer traffic, the lack of parking options, and the lack of daytime office population. The Office of Planning believes that if the small size of the market is an exceptional circumstance then it should not be made smaller by this application. Though Rock Creek Parkway may be a barrier to consumer traffic, the presence of the metro station originates over 5500 trips per day, many of these pedestrians being visitors passing by the subject property to go to the National Zoo, seems to diminish this concern. The lack of parking options prevalent in many urban commercial areas and this concern is again diminished by the metro station and zoo. Although there may be a lack of office population, the two large hotels nearby have substantial conference facilities that create a day time market for the area.

(c) Vehicular access and egress are located and designed so as to minimize conflict with principal pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable traffic conditions; and

There is no vehicular access located on the property.

Variance Analysis

The provisions of §3103.2 require the applicant to show a unique physical aspect or other extraordinary or exceptional situation or condition of a specific piece of property that creates an

undue hardship or practical difficulty. In addition, there should be no harm to the public or to the zone plan. The applicant requests variances from the provisions of §2001.3 regarding, which restricts additions to a non-conforming structure, §773, which requires 15% residential recreation space (7.8% provided) of which 50% must be outdoors (25.5% provided), and, §776, which requires a minimum court width of 15 feet (10 feet provided) and a closed court area of 350 square feet (230 square feet proposed).

Non-conforming Structure Provisions

The applicant's statement addresses the tests as follows:

1) The existing historic structure cannot be demolished to bring it into conformance with the regulations (exceptional condition);
2) The provisions of §2001.3 would preclude any addition to the building (practical difficulty); and
3) The proposed addition will not increase any non-conformity (substantial detriment).

The Office of Planning concurs with these arguments and notes that the C-2-B District is intended to be a mixed-use district with higher density residential. By permitting this addition the Board would be furthering the intent of the C-2-B District.

Residential Recreation Space

The applicant's statement addresses the tests as follows:

1. The deep and narrow shape of the lot, egress and core functions required by the building code create and 100% existing lot occupancy by a contributing structure to the historic district create an exceptional condition of the property;
2. Practical difficulties - due to the deep lot much of the interior space is windowless, and because of the narrowness much of the interior space is given over to egress and core functions, leaving very little room for interior recreation space. Exterior space must be provided on the roof as there is no surface space available.
3. The applicant has provided various interior and exterior spaces for recreation and there are ample number of spaces to recreate in the immediate vicinity due to the close proximity of Rock Creek Park and the National Zoo.

The Office of Planning concurs with these arguments. The residents of the building will also have access to recreation space in the adjacent existing Stanford University building.

Court Requirements

The applicant's statement addresses the tests as follows:

1. The exceptional situation is the need to provide an addition that will preserve the historic character of area.
2. The practical difficulty arises in that any addition of reasonable size would need to provide a setback from the façade to preserve the character of the street.
3. The proposed court will not diminish light and air to surrounding buildings.

The Office of Planning concurs with these arguments and notes that this design solution for the addition is in keeping with the recommendations of the Historic Preservation staff and review board.

Community Comments

ANC 3C and the Woodley Park Community Association support the application. Representatives from the ANC and Community Association discussed their comments and concerns with OP. The Woodley Park Community Association has worked for many months with the applicant to develop an acceptable program for the space. The community initially explored retail uses with Stanford, but feels the proposed art display/meeting space as proposed by Stanford is the best alternative.

. The community felt the district would not be negatively impacted by the loss of retail space and the proposed use would have a very positive impact.

The community is happy with the hours of operation lighting and feels the project provides adequate activity and street life. While the community feels the intent of the overlay is important, they feel it was never meant to preclude cultural uses from going into the district.

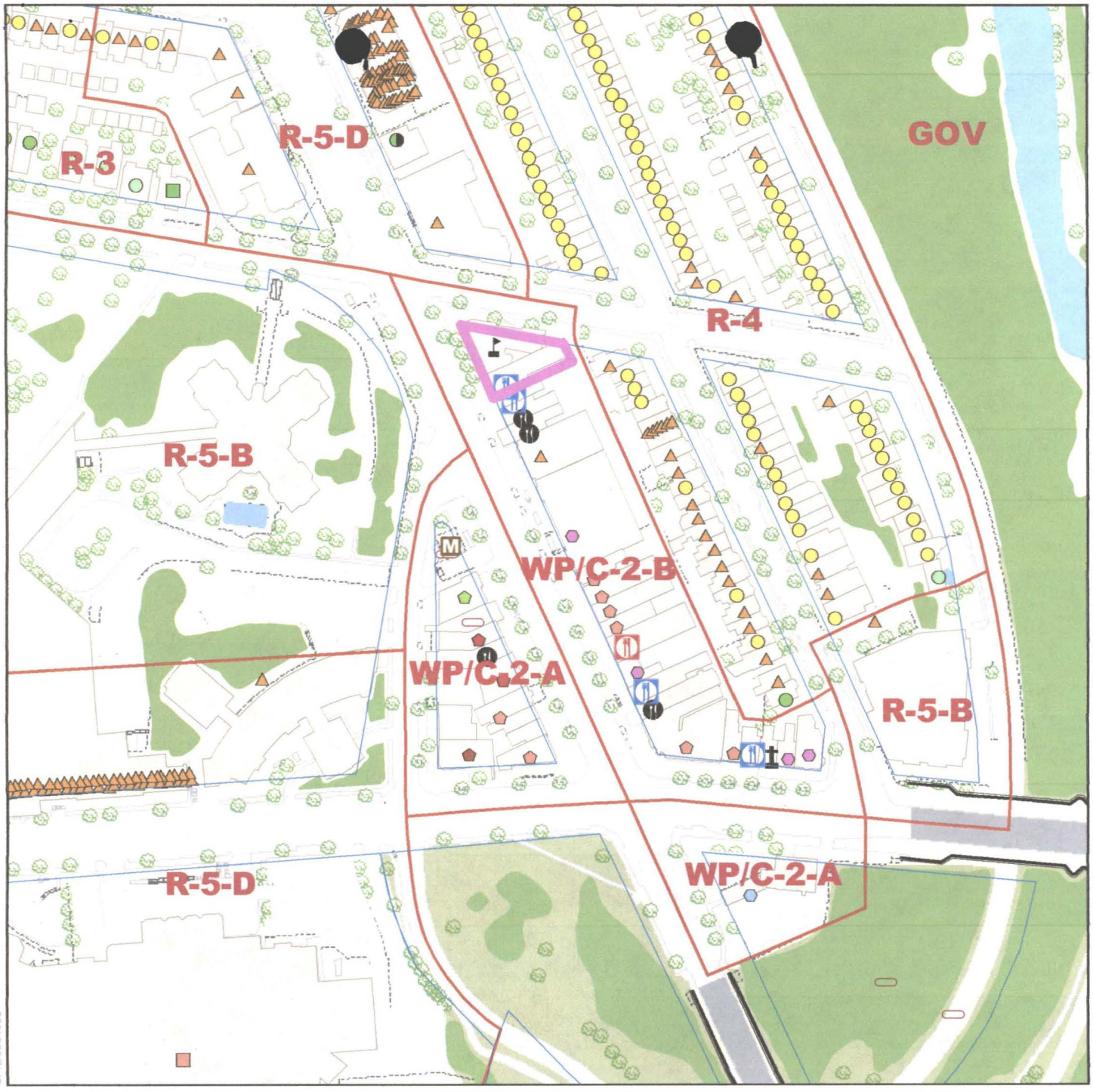
Recommendation

The Office of Planning recommends that the Board **deny** the requested **special exception**. Although the Office of Planning could support a reduction in the ground floor designated uses to 25%, the art display/meeting space does not come close enough to a retail/service use to meet the intent of the overlay. OP believes there are designated uses that could be provided that would not be incongruent with the university use of the building; such as a gift shop, student-oriented book and stationary store and the excepted use will not "substantially advance the state purpose" of the overlay.

OP recommends **approval of the area variances** and concludes that such variances will not impair the intent and purpose of the zone map and regulations.

ATTACHMENTS:

1. Location Map
2. Comprehensive Plan
3. Aerial Photo
4. Aerial Oblique Photos



Zoning and Land Use Map
BZA Application #17237
2655 Connecticut Ave., NW

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Feet

0 100 200 300

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Anthony A. Williams, Mayor

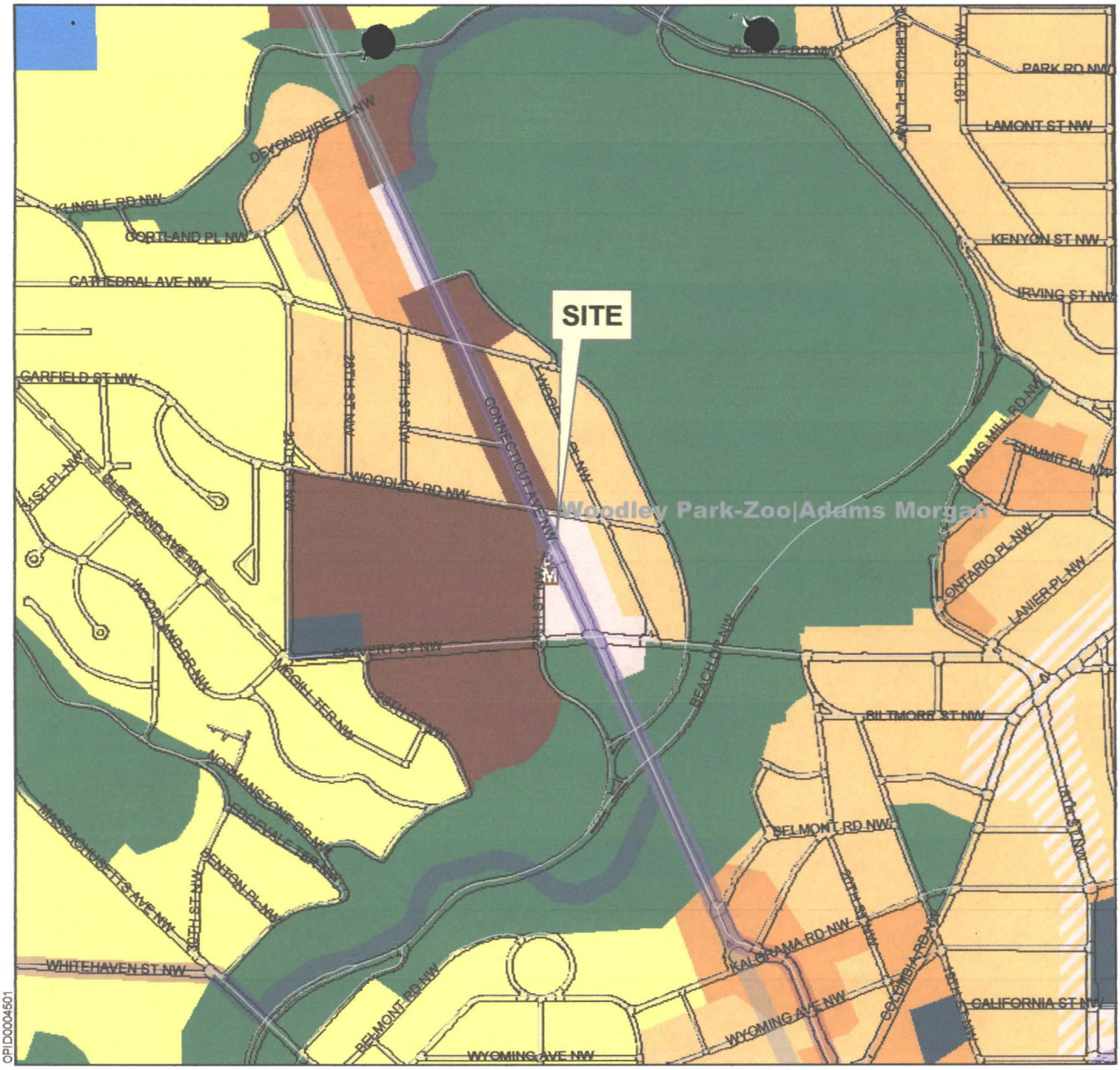
Office of Planning ~ November 2, 2004

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Land Use Legend

- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Resid. Mixed Use
- Multi-family
- Large Hotel
- Tourist Home
- Store - Small, 1-story
- Store - Misc.
- Bank
- Barber/Beauty Shop
- Store - Restaurant
- Commercial - Restaurant
- Restaurant - Fast Food
- Office - Small
- Office - Large
- Parking - Special Purpose
- Religious
- Educational
- Vacant

Attachment 1



Comprehensive Plan Map
BZA Application #17237
2655 Connecticut Ave., NW

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Feet

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Generalized Land Use Key

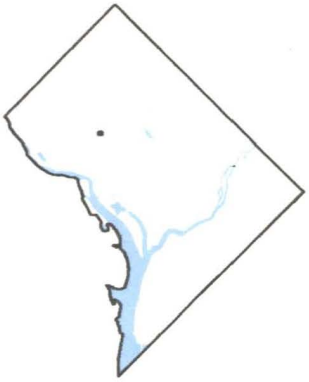
- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Attachment 2



Ortho Photo
BZA Application #17237
2655 Connecticut Ave., NW

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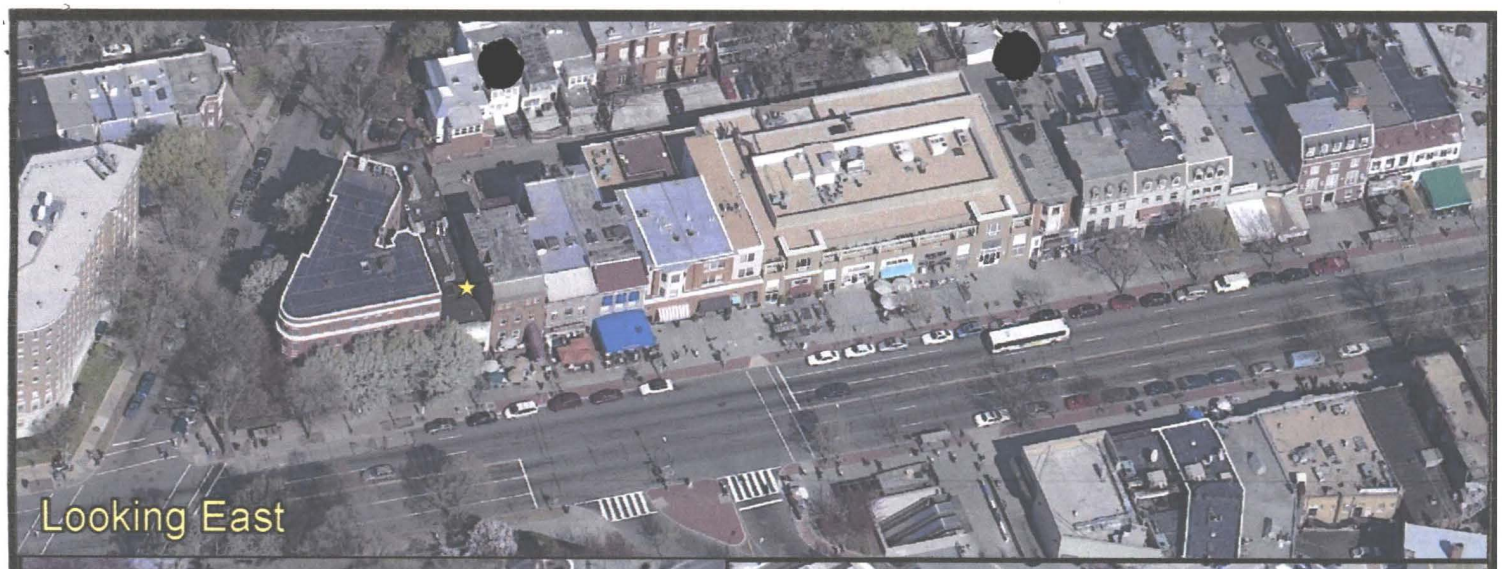


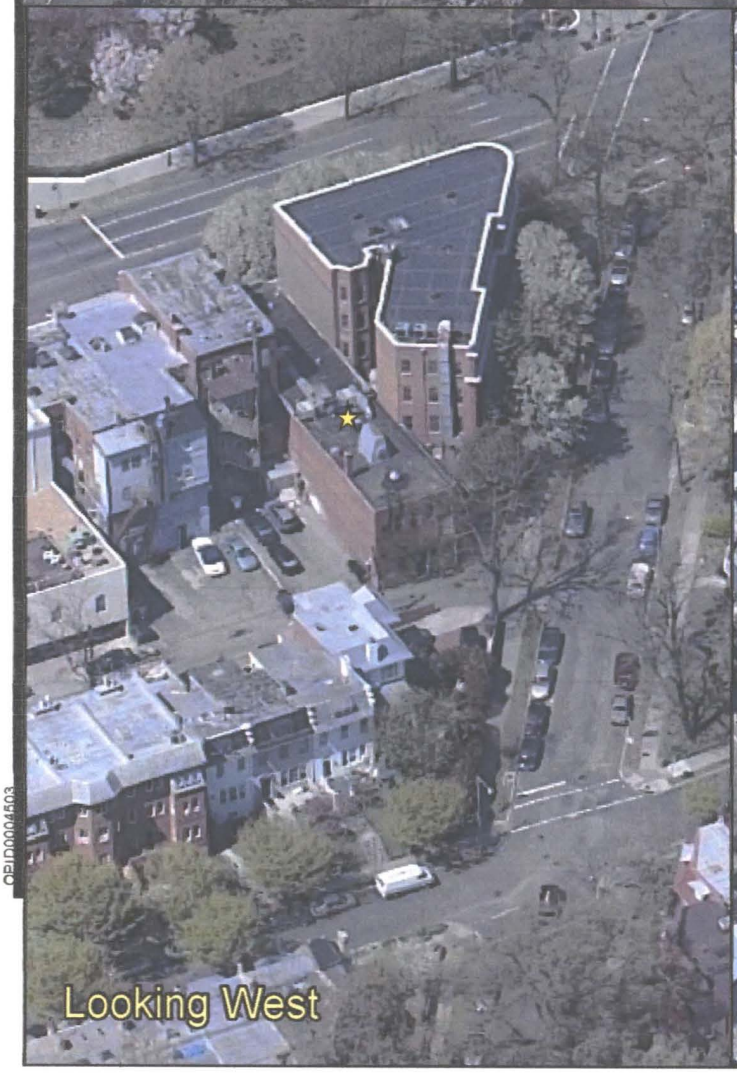
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Anthony A. Williams, Mayor

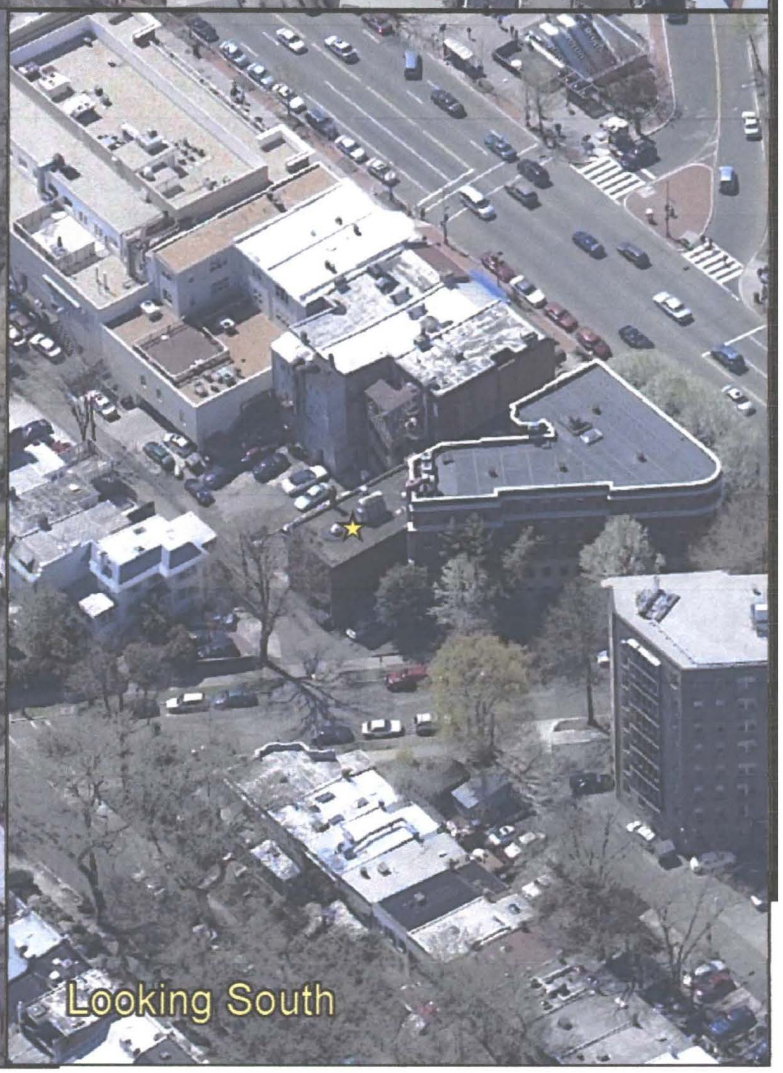
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purposes from a variety of sources.
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Attachment 3







Aerial Oblique Photos
BZA Application #17237
2265 Connecticut Ave., NW

☆ Subject Site - 2655 Connecticut Avenue, NW

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Attachment 4