

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Anne Fothergill, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: March 3, 2017

SUBJECT: BZA Case 19445 - request for special exception relief from the rear yard requirements for a mixed use development at 1827 Wiltberger Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle K §805.5– rear yard (15 feet required; 0’-7.42’ proposed)

II. LOCATION AND SITE DESCRIPTION

Address	1827 Wiltberger Street, N.W.
Legal Description	Square 0441, Lots 0849 and 0853
Ward	6
Lot Characteristics	The subject property is 16,128 SF and improved with a two-story warehouse building
Zoning	ARTS-2
Existing Development	The two-story warehouse on the subject property was recently used for commercial uses and is currently vacant
Historic District	The Historic Preservation Review Board recently approved a landmark application for the historic bakery building and has reviewed and granted concept approval of the proposed development
Adjacent Properties	There are alleys around all sides of this property. The abutting properties across the alleys are residential single family rowhouses and flats to the east and south, an apartment building (to be constructed) to the north, and commercial properties to the west
Surrounding Neighborhood Character	The surrounding neighborhood includes residential and commercial properties



III. APPLICATION IN BRIEF

The Applicant is proposing to renovate and expand the two-story former bakery building to create a mixed use development. The proposed building would have a two story plus penthouse addition. The cellar space would have retail space and the ground level would have retail space, parking and loading. The second and third floors would have office space and the fourth floor and penthouse would have nine residential units. Overall the proposed building would have 55,994 SF of GFA with an FAR of 3.47. The project would include the transfer of combined lot development rights to allow for more non-residential density (40,751 SF).

With HPRB guidance, the Applicant designed the addition to be set back from the west (front) and south facades of the original warehouse. On the east side, the addition would be set back approximately 7.5 feet and the northeast corner of the addition would align with the eastern wall of the warehouse, which on the property line, providing no setback. The Applicant has shifted the addition back from the front of the building to the rear (east) and north and has requested rear yard relief in order to allow the plumbing and core to align through every floor.

IV. ZONING REQUIREMENTS

ARTS-2	Regulation	Proposed	Relief
Rear yard	15'	0' – 7.42'	Relief required
Height	65 feet	50 feet	None required
Penthouse height	18'6"	12' habitable; 6' mechanical	None required
Parking	Residential: 2 spaces Office: 3 spaces	2 spaces 3 spaces	None required

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief

Special Exception Relief from Subtitle K § 805, pursuant to K 805.5 and § 813:

805.5 The Board of Zoning Adjustment may waive rear yard requirements pursuant to Subtitle X and Subtitle K § 813.

813.1 The Board of Zoning Adjustment may grant exceptions pursuant to Subtitle X, Chapter 9 from the requirements or limits of this chapter... subject also to the following criteria:

- (a) The uses, buildings, or features at the size, intensity, and locations proposed, will substantially advance the purposes of the ARTS zones and will not adversely affect neighboring property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting in the area;*

The proposed mixed use adaptive reuse development is in keeping with the ARTS-2 zone,” which is intended to permit medium-density, compact mixed-use development, with an emphasis on residential development.” The ARTS zones also encourage other components of this proposal including more housing, pedestrian scale development, adaptive reuse of older buildings, residential, commercial and retail uses. The proposed development should not adversely affect neighboring properties or people in the area as the building would be under the maximum height allowed and surrounded by alleys and the addition’s upper floors would be set back on most sides allowing for light and air and privacy.

- (b) The architectural design of the project will enhance the urban design features of the immediate vicinity in which it is located; provided, if a historic district or historic landmark is involved, the Board of Zoning Adjustment shall refer the application to the Historic Preservation Office for review and report; and*

A landmark application was recently approved for the warehouse and the proposed addition was reviewed and given conceptual approval by the Historic Preservation Review Board. The addition’s design is based on guidance from the HPRB and the new upper floors step back from the

prominent front (west) and south facade of the historic warehouse. The overall architectural design of the project would enhance the urban design features of the neighboring properties and 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.

The parking and loading for this building are proposed to be accessed off the alley at the rear of the building on the east side. This access location is intended to reduce conflicts on Wiltberger Street, which has more pedestrian and automobile traffic.

813.2 The Board of Zoning Adjustment may impose requirements pertaining to design, appearance, signs, size, landscaping, and other such requirements as it deems necessary to protect neighboring property and to achieve the purposes of the zone districts.

The project has been approved by HPRB and OP does not recommend additional requirements to protect neighboring properties or the ARTS-2 zone.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

At the time of the staff report, no other District agency had submitted comments.

VII. COMMUNITY COMMENTS

At the time of the staff report, the ANC had not submitted comments but the Applicant stated that ANC 6E voted unanimously to support the requested relief on February 7, 2017 (Exhibit 33).