

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Elisa Vitale, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** July 13, 2018  
**SUBJECT:** BZA Case 19801, 911-913 U Street NW to Permit a Penthouse Bar and Restaurant Use in the ARTS-2 Zone.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Penthouse General Regulations, Subtitle C § 1500.3, pursuant to Subtitle X § 901.2 (mechanical equipment or any use permitted within zone permitted; roof deck existing; expanded roof deck and penthouse for bar and restaurant use proposed).

Prior to the public hearing, the Applicant should confirm that the proposed penthouse and roof deck meet the penthouse setback requirements of Subtitle C § 1502.1.

**II. LOCATION AND SITE DESCRIPTION**

Address	911-913 U Street NW
Applicant	MM Jahanbin LLC
Legal Description	Square 0360, Lots 38 and 39
Ward, ANC	1 / 1B
Zone	ARTS-2 – permits medium-density, compact mixed-use development, with an emphasis on residential development.
Historic District	Greater U Street Historic District
Lot Characteristics	Lots 38 and 39 each measure 16 feet in width and 100 feet in depth. The lots front on U Street NW at the southern property line. The northern property line is bounded by a 10-foot wide improved public alley. There are adjacent improved lots to the east and west.
Existing Development	Lot 38 (911 U Street NW) is currently improved with a two-story building. Lot 39 (913 U Street NW) is improved with a two-story building that has an existing open roof deck that is proposed to remain. 913 U Street is operating as a bar and restaurant.
Adjacent Properties	Adjacent properties are two-story brick, row structures, which also front on U Street.

Surrounding Neighborhood Character	The surrounding neighborhood is characterized by a mix of commercial, including other bar and restaurant uses, and residential properties in the ARTS-2 zone.
Proposed Development	The Applicant is proposing to expand an existing roof deck and construct a penthouse for bar and restaurant use at 911-913 U Street NW.

**III. ZONING REQUIREMENTS and RELIEF REQUESTED<sup>1</sup>**

Zone – ARTS-2	Regulation	Existing	Proposed	Relief
Height (ft.) K § 803	65 ft.	Not provided	Not provided	None requested
Penthouse (ft.) K § 803	12 ft./1 story 18 ft. 6 in. mech.	10.42 ft.	Not provided	None requested
Lot Width (ft.) K §	N/A	16 ft. – Lot 38 16 ft. – Lot 39	16 ft. – Lot 38 16 ft. – Lot 39	None required
Lot Area (sq. ft.) K §	N/A	1,600 sq. ft. – Lot 38 1,600 sq. ft. – Lot 39	1,600 sq. ft. – Lot 38 1,600 sq. ft. – Lot 39	None required
Floor Area Ratio K § 801	Total 3.5 Non-res 1.5 (2)	Not provided	Not provided	None requested
Lot Occupancy K § 804	N/A	Not provided	Not provided	None required
Rear Yard (ft.) K § 805	15 ft.	Not provided	Not provided	None requested
Side Yard (ft.) K § 806	Not req., but 2 in./ft.; 5 ft. min.	Not provided	Not provided	None required
GAR K § 808	0.30 min.	Not provided	Not provided	None requested
Parking C § 701	1.33 per 1,000 sq. ft. > 3,000 sq. ft.	Not provided	Not provided	None requested

**IV. OFFICE OF PLANNING ANALYSIS**

**a. Special Exception Relief from Subtitle C § 1500.3**

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

The Applicant’s proposal to expand an existing rooftop bar and restaurant use would be in keeping with the general purpose and intent of the Zoning Regulations. The ARTS-2 zone is intended to permit medium-density, compact mixed-use development and the existing and expanded bar and restaurant use would encourage adaptive reuse of older buildings, as well as encourage eighteen (18) hour activity along the U Street commercial corridor.

<sup>1</sup> Information provided by Applicant, Exhibit 13, May 16, 2018.

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

The proposed expansion should not adversely affect the use of neighboring property. A rooftop bar and restaurant use is currently operating at 913 U Street NW. The adjoining properties at 909 and 915 U Street NW are commercial. While there are residential uses in Square 0360, the residential properties are separated from the subject site by a 10-foot wide public alley.

**V. COMMENTS OF OTHER DISTRICT AGENCIES**

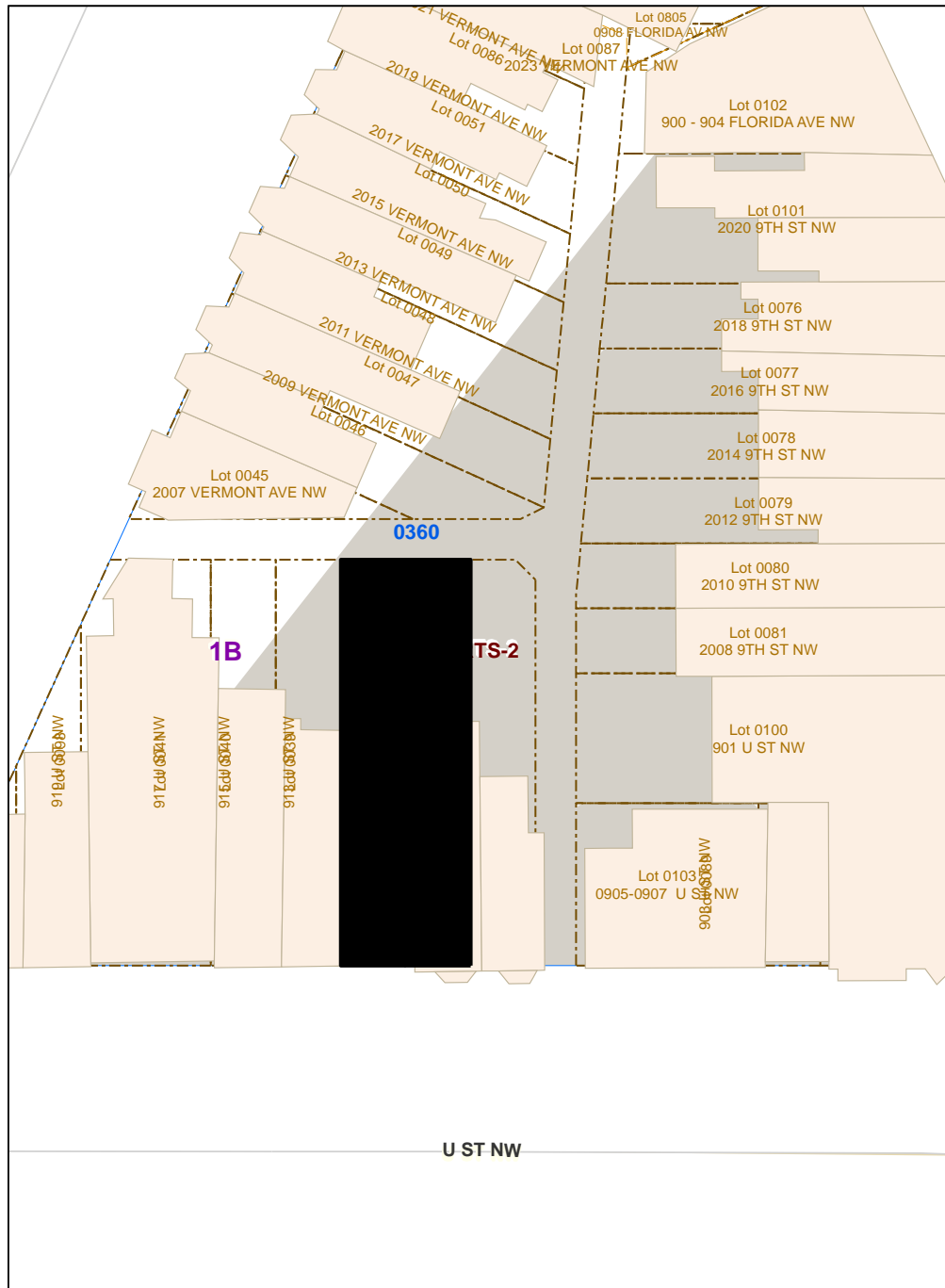
Comments from other District agencies had not been received at the time this report was drafted.

The Property is a contributing resource to the Greater U Street Historic District and the proposed improvements would require review by the Historic Preservation Review Board (HPRB). HPRB review has not been scheduled at this time although preliminary conversations with HP staff have been initiated.

**VI. COMMUNITY COMMENTS**

ANC 1B is scheduled to discuss the Applicant's request at its regularly scheduled meeting on July 12, 2018.

Attachment: Location Map



Location Map: 911-913 U Street NW