

OP Report

TO: District of Columbia Board of Zoning Adjustment

FROM: Crystal Myers, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: January 2, 2020

SUBJECT: BZA Case 20176: 3219-3221 M ST NW, to permit a penthouse and roof deck on a restaurant

I. OFFICE OF PLANNING RECOMMENDATION

OP recommends **approval** of the following special exception relief:

- Subtitle C § 1500.3- Relief to construct a habitable penthouse and a roof deck on a nightclub/bar/cocktail lounge or restaurant

OP requested clarification from the Applicant whether penthouse setback relief is also needed. As of this report, such relief was not requested, so was not evaluated by OP.

II. LOCATION AND SITE DESCRIPTION

Address	3219-3221 M ST NW (The Sovereign’s address- 1206 Wisconsin Ave. NW)
Applicant	George Gordon on behalf of M Street Five, LLC (The Sovereign)
Legal Description	Square 1207, Lot 114
Ward, ANC	Ward 2, ANC 2E
Zone	MU-4
Historic Districts	Georgetown Historic District
Lot Characteristics	Irregularly shaped lot with a public alley on the eastern side. The lot fronts on M ST NW but the restaurant’s entrance is on the public alley.
Existing Development	Multiple commercial buildings on a lot.
Adjacent Properties	The adjacent properties are commercial buildings, with partial second floors.
Surrounding Neighborhood Character	The surrounding area has a mix of uses.

<p>Proposed Development</p>	<p>The proposal is for a penthouse and roof deck on a bar/restaurant and includes an enclosed “private party area” on Sheet A007 of Exhibit 13. The deck would be on the roof of the first levels of the existing buildings. Most of the deck would be on the roof of 3221 M Street, but the “private party area” portion would be on to the roof of 3219 M ST NW. The deck would appear to be accessed via an open stairway from the floor below on 3219 M Street NW, and a direct entrance into the partial second floor of the building at 3221 M Street NW.</p>
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III. LOCATION MAP



IV. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to Subtitle X § 900:

Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and

The proposed penthouse with roof deck should not adversely impact the neighboring properties. It would be at a lower level and partially screened by the existing second floor space on the buildings. It would also be below the roofs of the adjacent buildings, which are both three stories in height. Therefore, masonry party walls that are a full story taller would

separate their roofs from the proposed penthouse and deck. Neither adjacent building has a penthouse or a roof deck.

Additionally, there would be a visual screen on the west side between the deck and the roof of the neighboring property.

Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The proposed penthouse with roof deck would be in harmony with the general purpose and intent of the MU-4 zone. The zone allows restaurants and bars and the proposal would support these uses. According to the Applicant, no additional relief is needed so the proposed penthouse with roof deck complies with all other requirements of the zone, including setback requirements. It is also set back substantially from M ST NW so the street's character should not be adversely impacted on the character of the street.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments from other District agencies were submitted to the record as of the writing of this report.

VI. COMMUNITY COMMENTS TO DATE

As of the writing of this report no report from ANC 2E has been submitted to the record.