DC Office of Planning

Presentation on Zoning Case 02-44

March 24, 2003

Requested Change

- **Submitted by Retail Business Development Committee of the District of Columbia Building Industry Association (DCBIA)**
- **DCBIA identified specific strategies to make retail space in the Downtown more user friendly**
- **This proposal would allow eliminate of some open arcades in buildings located in the Central Employment Area (CEA)**

Requested Change

- **Proposed text amendment to the Zoning Regulations states:**

  "Notwithstanding the limitations of Section 771.2, an existing open arcade in a building within a commercial district within the Central Employment Area, for which a floor area credit has been granted pursuant to this section, may be enclosed and devoted to retail, entertainment, arts and service uses permitted as a matter of right."

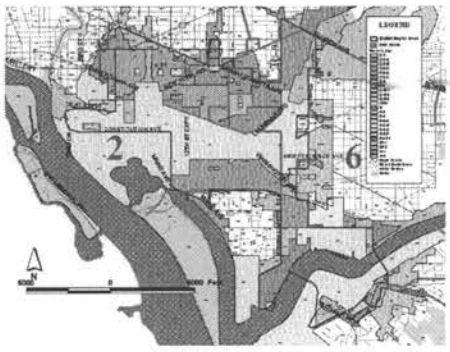
Open Arcade -

" ... a continuous area, located along the perimeter of a building, designed for pedestrian uses, and which adjoins a street for its entire length; and, except for structural piers, columns, or arches, is open to the street."

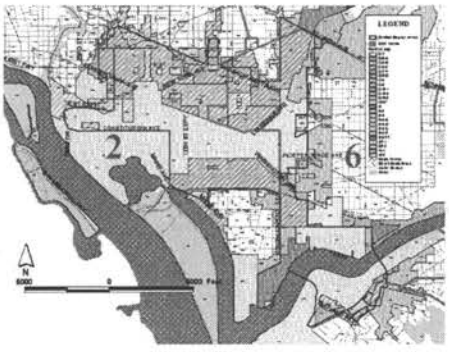
Title 11 Section 199



Central Employment Area



Central Employment Area



ZONING COMMISSION
District of Columbia
Case 02-44
Exhibit 21

ZONING COMMISSION
District of Columbia
CASE NO.02-44
EXHIBIT NO.21

Eligible Properties

- Buildings located in C-1, C-2-A, C-2-B, C-2-C, C-3-A, C-3-C, C-4, C-5, SP-1, SP-2, SP-3, W-1 and W-3
- Construction plans submitted after May 12, 1958
- Projects that took advantage of the floor area ratio (FAR) credit
- Retail, arts, service and "entertainment uses" would be allowed in former arcade area



OP Analysis

- Surveyed CEA and identified buildings that appear to have open arcades.
- Compared building addresses to records of the Department of Consumer & Regulatory Affairs
- Reviewed available zoning computation sheets for references to a FAR credit



Findings

- Impact on existing development: Review of computation sheets indicates that most of the buildings that appear to include open arcades did not take advantage of the FAR credit. *Overall, the approximate ratio of computation sheets reviewed that included and did not include the credit was 1:5.*
- Impact on pedestrian & vehicular circulation: New construction would not extend beyond the front property line without additional review. As a result, pedestrian and vehicular circulation in the public way should not be impacted.
- Impact on historic properties: Only properties constructed since 1958 would be impacted, not currently designated properties. Impacts on *future* historic sites are unclear.

Findings

- Applicability of amendment: Current amendment text would not address open arcades set back from the street frontage.

FAR Credit - Examples

1140 Connecticut Ave NW *

- The building was constructed with a façade set back from the right-of-way
- The FAR credit for the open arcade = 973 square feet

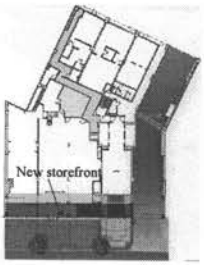


* BZA Application No. 16743

FAR Credit - Examples

1140 Connecticut Ave NW *

- The building was constructed with a façade set back from the right-of-way
- The FAR credit for the open arcade = 973 square feet
- Extending the storefront to the street required enclosing 1,072 square feet



* BZA Application No. 16743

Far Credit - Examples

1140 Connecticut Ave NW *

- **The building was constructed with a façade set back from the right-of-way**
- **The FAR credit for the open arcade = 972 square feet**
- **Extending the storefront to the street required enclosing 1,072 square feet**
- **The enclosed area for the storefront was more than the FAR credit, but only a fraction of the adjacent ground floor area**



* BZA Application No. 16743

Far Credit - Examples

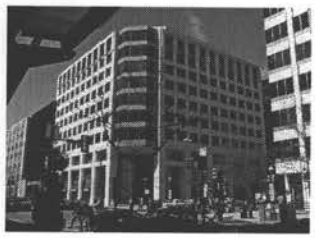
2001 L Street, N.W.



FAR Credit = 710 square feet

Far Credit - Examples

2001 L Street, N.W.



FAR Credit = 710 square feet Estimated Open Area = 2,500 square feet

Findings

- **Applicability of amendment: Current amendment text would not address open arcades set back from the street frontage. "Entertainment" is not a use listed in the Zoning Regulations; listed "arts" or "art related" uses appear adequate to address the intent. Allowable uses in former arcade space should be limited to those listed.**
- **Status of current open arcades: The FAR credit is no longer needed, but retaining the current Section 2515 will provide the context for the proposed amendment. However, the credit for providing arcades should be discontinued.**

Agency Comments

• **Fire Department**	**No objections if fire and emergency medical service access not affected**
• **Department of Transportation**	**No concerns**
• **Department of Housing & Community Development**	**No concerns expressed**
• **Police Department**	**Support if parking provided for additional floor area, and did not support because of lack of information about specific applications**

Comprehensive Plan

Section 1108, Policies in of Commercial Area Objectives, in part:

"(s) Support(s) modification of the Zoning Regulations to encourage the success of ground floor retail and entertainment uses in the Central Employment Area by allowing arcade space in existing buildings to be converted as a matter of right to retail, entertainment, arts or service uses; ..."

Suggested Changes

- **Add text to include buildings set back from the right-of-way and eliminate the term "entertainment"**
- **Clarify that additional floor area must be occupied by retail, arts and service uses allowed in the zoning district**
- **Exempt properties designated historic or contributing to a particular historic district from the proposed amendment *if the arcade is determined to be a contributing factor***
- **Do not require additional parking, but limit the size of additions**
- **Retain the text in Section 2515, but clarify that no future building projects are eligible for the credit**

OP Recommendation

- **Modify the proposed text amendment as follows:**

"Notwithstanding the limitations of Section 771.2, an existing open arcade in a building in a commercial district within the Central Employment Area, for which a floor area limitation credit has been granted pursuant to this section, may be enclosed, and devoted solely to retail, arts and service uses permitted in the zoning district as a matter-of-right, except in the case of buildings designated as historic landmarks or contributing to a historic district where the Historic Preservation Review Board has determined that the arcade constitutes a feature contributing to the building's historic or architectural significance."

OP Recommendation

- **Limit the total additional floor area under this amendment to either the floor area ratio (FAR) credit originally granted under Section 2515.3, or 25% of the gross floor area adjacent to the open arcade, whichever is greater; and**
- **Clarify that construction plans submitted on or after the date the Zoning Commission Order is adopted are *not* eligible for the referenced FAR credit.**



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