



Commission Members

Presidential Appointees

L. Preston Bryant, Jr., Chairman
Elizabeth A. White

Mayoral Appointees

Arrington Dixon
Geoffrey Griffiths

Ex Officio Members

Secretary of Defense
The Honorable Ashton Carter

Secretary of the Interior
The Honorable Sarah Jewell

Acting Administrator
General Services Administration
The Honorable Denise Roth

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Ron Johnson

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Jason Chaffetz

Mayor
District of Columbia
The Honorable Muriel Bowser

Chairman
Council of the District of Columbia
The Honorable Phil Mendelson

Executive Director

Marcel C. Acosta

**IN REPLY REFER TO:
NCPC FILE No. ZC 05-22A**

MAY 13 2015

**Zoning Commission of the
District of Columbia
441 4th Street NW
2nd Floor, Suite 210
Washington, DC 20001**

Members of the Commission:

Pursuant to delegations of authority adopted by the Commission on August 6, 1999,

I found that the proposed modification to the View 14 Planned Unit Development, would not be inconsistent with the Comprehensive Plan for the National Capital. A copy of the Delegated Action of the Executive Director is enclosed.

Sincerely,

**Barry Socks
Acting Executive Director**

Enclosure

**cc: Eric Shaw, Acting Director, DC Office of Planning
Anthony Hood, Chairman, Zoning Commission**



Delegated Action of the Executive Director

PROJECT

Modification to a Consolidated Planned Unit Development at Square 2668, Lot 55
2303 14th Street, NW
Washington, DC

NCPC FILE NUMBER

ZC 05-22A

NCPC MAP FILE NUMBER

32.00(06.00)44134

REFERRED BY

Zoning Commission of the District of Columbia

DETERMINATION

Approval of report to the Zoning Commission of the District of Columbia

REVIEW AUTHORITY

Advisory

per 40 U.S.C. § 8724(a) and DC Code § 2-1006(a)

The Zoning Commission of the District of Columbia has referred a modification to a Zoning Commission order, which approved the View 14 Planned Unit Development (PUD) in January 9, 2006 at Square 2668, Lot 55. The applicant seeks to modify the PUD to include language to allow a dog daycare, pet grooming, and overnight animal boarding use on the property that would otherwise require approval by special exception. The property is located in the northwest quadrant of Washington DC, at 2303 14th Street, NW, bounded by 14th Street to the west, Florida Avenue to the south, Belmont Street to the north, and a 15-foot public alley situated along the rear of the property to the east. The surrounding neighborhood is characterized by multi-story mixed-use structures, two and three-story row houses, multi-family residential structures, and two and three-story commercial uses.

The property consists of a mixed-use building on a 34,357 square-foot lot, with approximately 32,000 square feet of commercial and service uses at or below grade and 185 apartment units on the upper nine floors. The property includes four retail units, two of which are currently occupied. The property is zoned C-2-B, which permits medium density development, and mixed-use such as office, retail, service and residential uses. The proposed facility will occupy space identified in the PUD for retail/service uses consisting of approximately 4,300 square feet along 14th Street, with a cage-free dog daycare in five internal play parks, pet grooming, and overnight boarding. There are two and three-story row houses, zoned to the R-5-B district, across the public alley from the building to the east, and five residential units on the second floor directly above the space dedicated for the proposed facility.

On February 4th, 2014, the Board of Zoning Adjustment (BZA) heard the request for special exception and variance relief to permit animal boarding, pet grooming, and animal shelter uses for the property. The BZA denied the request and determined that the applicant did not demonstrate that the proposed use would not produce objectionable noise within the building since the property abuts a residential zone (R-5-B) to the east of the site.

At the time, the District Office of Planning (DC OP) supported the Applicant's request for approval of the special exception, contingent on the following conditions:

- 1) Animals shall only enter and exit the business through the front door facing 14th Street NW;
- 2) There shall be staff on site at all times that animals are on site, including overnight.

The ANC supported the request as well; however, there has been some continuing opposition from some of the building residents and broader neighborhood.

As a result of this and other similar BZA cases, the Zoning Commission requested that DC OP bring forward text amendments to clarify what is intended by the phrase “use shall not abut a residential zone” with respect to animal-related uses. The text amendments (Zoning Commission Case 14-10, approved February 9, 2015), clarify the prohibition against the adjacency of animal boarding, pet grooming, pet shop, veterinary boarding hospital, and animal shelter uses to residential uses in two ways. First, the amendments provide that an animal use shall not be located within twenty-five feet (25 feet) of a lot located within a residential district. Second, the amendments require that an Applicant demonstrate during the special exception review process that the use will not produce any objectionable odor or noise affecting residential units within the same building. The requirement that the animal use take place within a sound-proof building, was replaced with a requirement that the use produce no noise objectionable to nearby properties, which is more consistent with the standard special exception criteria. Finally, the new text amendments permit animal boarding uses to operate as a matter-of-right in basement or cellar spaces beginning in the C-2-A District.

Per Section 735 of the Zoning Regulations, animal boarding and grooming uses not located in the basement or cellar are permitted only by special exception, subject to a number of conditions and specifications. The proposed facility will be located on the ground floor, internal to the building, with no external yards on the property, and no common access ways or hallways with the residential uses on the property. The use will be located on the western-side of the building, along 14th Street, NW, in excess of 25 feet from the nearby R-5-B District, which is located to the east, across a 15-foot alley. Lastly, the Applicant plans to include noise mitigation that includes installation of acoustical walls and ceilings, odor control, and waste management. Therefore, the proposed animal boarding use is consistent with the revised regulations as described in Zoning Commission Order 14-10, which clarifies the Zoning Regulations pertaining to animal boarding and pet-grooming uses.

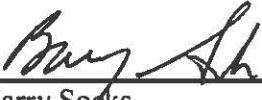
The proposed PUD modification is not inconsistent with the Comprehensive Plan for the National Capital. Although the project site is located within close proximity of Meridian Hill Park, neither the Park nor any other federal property will be impacted by the proposed PUD amendment.

*

*

*

Pursuant to delegations of authority adopted by the Commission on August 6, 1999 and 40 U.S.C. § 8724(a) and DC Code § 2-1006(a), I find the proposed modification to the View 14 Planned Unit Development will not be inconsistent with the Comprehensive Plan for the National Capital.



Barry Socks
Chief Operating Officer

5-1-15

[Date]