

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Crystal Myers, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: November 20, 2018

SUBJECT: BZA Case #19883 – 845 Upshur ST NW for special exception relief for an addition to a mixed-use building.

I. OFFICE OF PLANNING RECOMMENDATION

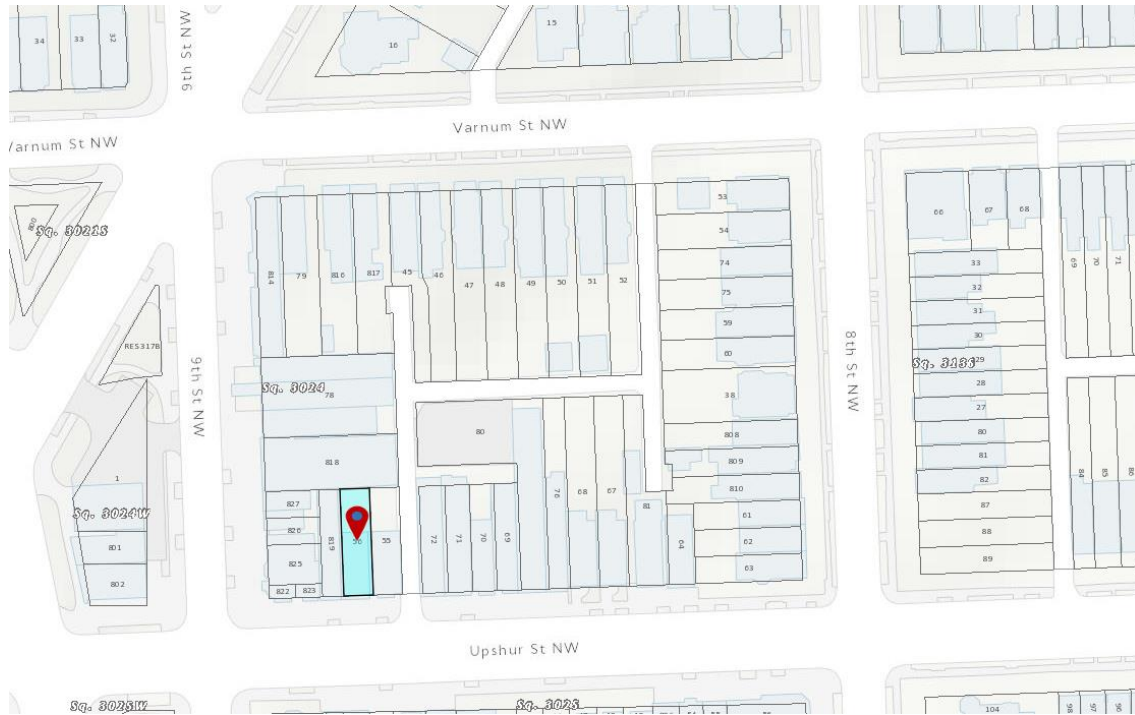
The Office of Planning (OP) recommends **Approval** of the following:

- G§404 Lot occupancy (60% required, 40% existing, 81.33% proposed);

II. LOCATION AND SITE DESCRIPTION

Address	845 Upshur ST NW
Applicant:	Bean, Kinney & Korman on behalf of 845 Upshur LLC
Legal Description	Square 3024, Lot 0056
Ward / ANC	Ward 4; ANC 4C
Zone	MU-4
Historic District or Resource	N/A
Lot Characteristics	Rectangular lot fronting on Upshur ST NW
Existing Development	2-story mixed use building
Adjacent Properties	Multistory buildings with a mix of residential and commercial uses
Surrounding Neighborhood Character	Neighborhood-serving commercial establishments and residential buildings
Proposed Development	Proposal for a 3-story addition and a renovation to an existing mixed-use building. The addition would increase the building's residential units from one to four.

III. LOCATION MAP



IV. ZONING REQUIREMENTS¹ and RELIEF REQUESTED

Zone – MU-4	Regulation	Existing	Proposed	Relief
Lot Width	No requirement	22 ft.	22 ft.	Conforming
Lot Area	No requirement	1,790 sq. ft.	1,790 sq. ft.	Conforming
Floor Area Ratio § 402	2.5 maximum	1.0	2.44	Conforming
Height § 403	50 ft. maximum	22 ft. 6in	35 ft. 6 in	Conforming
Lot Occupancy G§ 404	60% maximum.	40%	81.3%	Special Exception Requested
Rear Yard § 404	15 ft. minimum	35ft. 6in	15 ft.	Conforming

¹ Applicant submitted two self-certification forms. In response to OP’s request for more information the Applicant replaced their original form (Exhibit 4) with a completed form (Exhibit 31).

V. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to G §409 and X § 900

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

The proposed addition would be in harmony with the general purpose and intent of the Zoning Regulations and the Zoning Maps. The intent of the MU-4 zone is to allow for moderate density mixed use development. The proposal would allow for addition residential units in a mixed-use building at a moderate density level within the MU-4 zone density requirement. Lot occupancy is restricted to maintain building volume consistency for buildings in the same zone. In this case, the proposal would result in the building becoming a similar size as its neighbors, which are all in the MU-4 zone. The proposed building would be within the MU-4 height and FAR limits.

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

The proposal should not adversely impact the use of neighboring properties. There are three properties adjacent to the site. The proposed building would be in character with these buildings and with the rest of the surrounding area. Though most of the neighboring commercial and mixed-use buildings along Upshur ST NW are one to two stories, the adjacent building to the east is three stories and the proposed building is designed to be similar in appearance to this building. The eastern building's light and air should also not be impacted it has the same height, volume, and rear setback as the proposed building. The light and air of the building to the west should not be impacted as this building occupies its whole lot and does not have a rear yard. This building does have a window on its wall that faces the subject property, but this window is "at risk" by being on the property line and is closed with bricks. The building to the north's rear wall is along the property line it shares with the subject property, but the proposal should not significantly impact these windows because the required rear yard is provided.

The neighborhood would also benefit from the proposed increase in residential units. Additional residents to the area should have a positive impact on the existing neighboring commercial businesses.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

As of the writing of this report, no District Agencies have submitted comments to the record.

VII. COMMUNITY COMMENTS

As of the writing of this report, no comments or ANC report have been submitted to the record.