

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: March 29, 2019
SUBJECT: BZA Case 19952, to Permit a Penthouse Bar and Lounge Use in and existing Mixed-Use development at 2112 8th Street, NW in the MU-10 Zone.

I. OFFICE OF PLANNING RECOMMENDATION

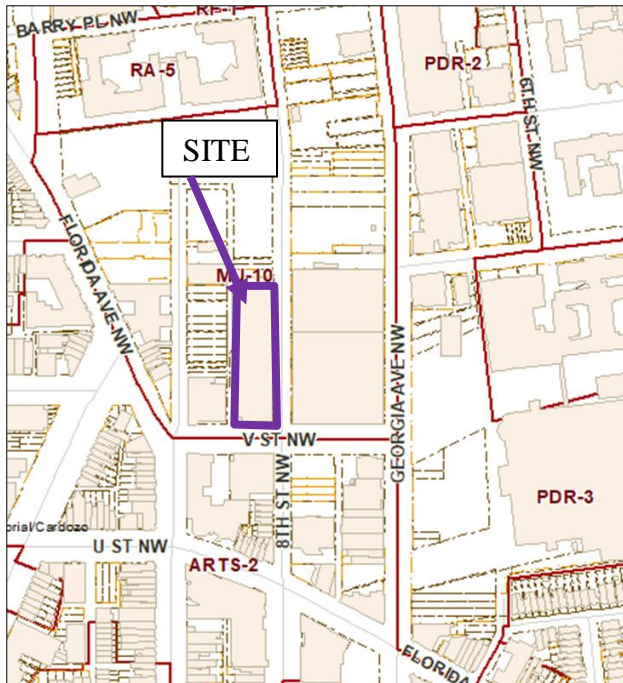
The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Penthouse General Regulations, Subtitle C § 1500.3, pursuant to Subtitle X § 901.2 (mechanical equipment or any use permitted within zone permitted; penthouse amenity existing; bar and lounge within the amenity space use proposed). With the following condition:
 - The bar and lounge would only be available to residents of the building and their visitors, as proposed by the applicant.

II. LOCATION AND SITE DESCRIPTION

Address	2112 8 th Street, NW
Applicant	Atlantic Residential N, LLC
Legal Description	Square 2875, Lot 1109
Ward, ANC	1 / 1B
Zone	MU-10 –permits medium-to high-density mixed-use development with a balance of uses conducive to a higher quality of life and environment for residents, businesses, employees, and institutions.
Historic District	Not within a historic district.
Lot Characteristics	A nearly rectangular lot with a width of 75.02 feet by 380 feet in length. The property fronts on V Street and 8 th Street, NW and a 15-foot wide alley.
Existing Development	The lot is currently improved with a nine-story building. The building has various ground floor retail uses with residential above. The building has outdoor and indoor amenity space for the residents on the roof.

Adjacent Properties	To the north and northwest are parking lots, to the east are vacant buildings all in the MU-10 zone while to the southwest is a three-story vacant building and a two-story building which houses a club and is in the ARTS-2 zone.
Surrounding Neighborhood Character	The surrounding neighborhood is characterized by a mix of vacant buildings, parking lots, and medium density residential with ground floor retail uses.
Proposed Development	The Applicant is proposing to convert the existing amenity space in a penthouse to a bar and lounge for residents and their visitors only.



Views of the Existing Building



Building Roof



III. 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 convert a portion of the rooftop amenity space to a bar and lounge use would be in keeping with the general purpose and intent of the Zoning Regulations. The MU-10 zone is intended to permit medium to high-density mixed-use development. The building is predominantly residential, with ground floor retail uses.

The space on the roof is currently amenity space for the residents allowed by the Regulations (Exhibit 32B). The use of a portion of the enclosed amenity space as a bar and lounge, for residents, within existing space that is currently set up for entertainment would be in harmony with the general purpose and intent of the Zoning Regulations.

Following preliminary discussions between OP and the Zoning Administrator, this proposal would appear to result in an affordable housing requirement consistent with the penthouse regulations, presumably as a contribution to the Housing Production Trust Fund. If required, OP has estimated the contribution to be approximately \$45,000, with the final amount to be determined at the time of permit application for the penthouse space.

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

The proposed conversion of a portion of the amenity space to the bar and lounge should not adversely affect the use of neighboring property. The bar and lounge would be within an enclosed area and would be limited to residents and their guests only. Limiting the users to residents and their visitors would help to limit the number of persons and any potential noise spills over to existing or future adjacent developments. The application states that ABRA approval would be required, and issues such as capacity and hours of operation can be addressed through that process. It would not affect neighboring properties as to the north is a parking lot, to the east are vacant buildings, to the south is a mixed use, six-story building with residential use but is separated by the V Street right-of-way, and to the west is a combination of parking lot, vacant buildings and a club.

IV. COMMENTS OF OTHER DISTRICT AGENCIES

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

V. COMMUNITY COMMENTS

The property is within ANC-1B. At its scheduled monthly meeting on March 7, 2019 the ANC voted to support the requested rooftop bar and lounge in the penthouse (Exhibit 30).