

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Jonathan Kirschenbaum, Case Manager

*JL* Joel Lawson, Associate Director Development Review

**DATE:** October 11, 2019

**SUBJECT:** BZA Case 20129 (555 E Street, SW) to permit a rooftop bar and restaurant use in a proposed hotel.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Penthouse Rooftop Bar and Restaurant, Subtitle C § 1500.3(c), pursuant to Subtitle X § 901.2 (penthouse eating and drinking establishment only permitted via special exception).

**II. LOCATION AND SITE DESCRIPTION**

|                                    |  |
|------------------------------------|--|
| Address                            | 555 E Street, SW   |
| Applicant                          | 555 E Street SW, LLC   |
| Legal Description                  | Square 494, Lot 36   |
| Ward, ANC                          | 6/6D   |
| Zone                               | D-5  |
| Lot Characteristics                | Regular shaped lot measuring 180.8 feet by 188.3 feet. The lot is bounded by School Street, SW to the north, 6 <sup>th</sup> Street, SW to the west, E Street, SW to the south, and an office building to the west.  |
| Existing Development               | Vacant lot.  |
| Adjacent Properties                | District Government and Federal Government office buildings with ground floor retail, and a place of worship.  |
| Surrounding Neighborhood Character | The sounding neighborhood character is large scale office buildings for the District Government, Federal Government, and private sector.   |
| Proposed Development               | The applicant is constructing a mixed-use building with residential and hotel uses located in two separate towers connected by ground floor retail space. The project would include 194 dwelling units, with 58 dwelling units set aside as affordable senior units, and 252 hotel rooms. The hotel component is proposed to have rooftop bar and restaurant within a 3,934 gross square foot habitable penthouse. |

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

| <b>D-5 Zone</b>   | <b>Regulation</b>   | <b>Existing</b> | <b>Proposed</b>                             | <b>Relief</b>            |
|---|---|-----------------|---|--------------------------|
| Eating and Drinking Establishment in a Habitable Penthouse<br>C § 1500.3(c) | A nightclub, bar, cocktail lounge, or restaurant use shall only be permitted as a special exception | Vacant lot      | Habitable Penthouse with Restaurant and Bar | <b>Special Exception</b> |

### IV. OFFICE OF PLANNING ANALYSIS

#### **Special Exception Relief from Subtitle C §1500.3(c), Penthouse Habitable Space.**

**i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

D-5 is a high-density zone designed to accommodate high-density commercial and mixed-use development. The proposed use would provide a source of activity and dining, serving not only the guests of the hotel, but also nearby residents, office workers and visitors in the surrounding area. The proposed use would provide an additional restaurant and bar in an area where few other options exist and is largely dominated by daytimes office uses. The use is permitted by-right, and by special exception in the penthouse, and is consistent with the intent of the zone.

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

The use would be located on the penthouse level of the proposed hotel. The proposed seating area for the restaurant and bar along with the accompanying outdoor terrace would front onto School Street, SW. The proposed use would front away from the residential tower of the proposed building and would face other office buildings.

### V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments from other district agencies were received at the time this report was filed to the record.

### VI. COMMUNITY COMMENTS TO DATE

At its regularly scheduled meeting on September 9, 2019, ANC 6D recommend approval of the requested relief (Exhibit 30).

**Attachment: Location Map**



CPID0000046