

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: February 26, 2021

SUBJECT: BZA Case 20281, 150 Eye Street, S.E., to permit a veterinary hospital on the first floor of a mixed-use building

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle I § 303.1(i), Veterinary Hospital pursuant to U § 513.1(l)¹.

II. LOCATION AND SITE DESCRIPTION

Address	150 Eye Street, S.E.
Applicant	Square 737 LLC
Legal Description	Square 737, Lot 828
Ward, ANC	Ward 6, ANC 6D
Zone	D-5
Lot Characteristics	Irregular pentagon-shaped lot fronting on three streets with no alley access
Existing Development	New high-rise apartment building with ground-floor retail space
Adjacent Properties	North: Across H Street, parkland and the Southeast/Southwest Freeway South: Across Eye Street, a surface parking lot East: Across 2 nd Street, a DC government office building West: High-rise apartment buildings, including ground-floor retail
Surrounding Neighborhood Character	High-density residential and commercial

III. OFFICE OF PLANNING ANALYSIS

Special Exception Relief from Subtitle U § 513.1(l), Veterinary office or hospital, or veterinary boarding hospital:

¹ The initial application, filed on March 17, 2020, proposed a veterinary boarding hospital. On February 17, 2021 the applicant revised the application to propose a veterinary hospital instead.

- (1) A veterinary hospital or veterinary boarding hospital may board any animal permitted to be lawfully sold in the District of Columbia, pursuant to D.C. Official Code § 8-1808(j)(1);***

No boarding of animals is proposed.

- (2) No more than fifty percent (50%) of the gross floor area of the veterinary hospital may be devoted to the boarding of animals;***

No boarding of animals is proposed.

- (3) The veterinary hospital or veterinary boarding hospital shall be located and designed to create no objectionable conditions to adjacent properties resulting from animal noise, odor, or waste;***

The proposed use would be located on the ground floor of a mixed-use building abutting the building lobby, back-of-house operations and other commercial space. It would abut no residential uses on the ground floor. Four residential units would be located above, separated by an eight-inch thick of concrete, which would mitigate any impacts from the use below.

Access to the space would be directly from 2nd Street only, without requiring patrons to enter any of the common elements of the building.

- (4) The veterinary hospital or veterinary boarding hospital shall not abut an existing residential use or a residential zone; unless the existing residential use is in a mixed-use building and the Applicant demonstrates that:***

- (A) The building was designed and constructed or will be redesigned and renovated to mitigate noise to limit negative impacts on residential units that the use will abut, including the use of acoustical tiles, caulking to seal penetrations made in floor slabs for pipes, and spray-on noise insulation;***

The use would be separated from the residential units above with an eight-inch thick slab of concrete, which would mitigate noise. In areas of the veterinary hospital where there is no secondary ceiling, either acoustical tiles and/or hangings would be installed, or animals would not be permitted in those areas. A portion of the space is designed to include a mezzanine for staff use only, providing a further separation for that portion of the veterinary hospital from the residential units above.

- (B) The windows and doors of the space devoted to the veterinary hospital or veterinary boarding hospital use shall be kept closed, and all doors facing a residential use will be solid core;***

Windows and doors to the veterinary hospital would be kept closed, except as needed for access. No doors would face a residential use. All windows would

be made of double-paned sound-resistant glass. No doors would face a residential use and a solid core door would provide access to the loading area.

- (C) ***Animal waste shall be placed in closed waste disposal containers located in enclosed areas or away from abutting or confronting residential windows and doors; and shall be collected by a waste disposal company at least weekly;***

Animal waste would be removed from the facility on a daily basis to the loading dock area on the first floor for collection at least weekly. No residential uses are located on the first floor.

- (D) ***Odors will be controlled by means of an air filtration system or an equivalently effective odor control system; and***

The applicant proposes to install an HVAC system specifically designed to control potential odors, with exhaust ventilation from each enclosed space.

- (E) ***Floor finish material, areas intended to be wet, and wall finish materials measured a minimum of forty-eight inches (48 in.) from the floor, shall be impervious and washable;***

All walls would be made impervious with waterproof paint applied to the drywall, from the floor to the ceiling, allowing them to be washed and sanitized. Animals would either be with their owners or in metal waterproof cages. There would be no bathing of animals.

- (5) ***External yards or other external facilities for the keeping of animals shall not be permitted;***

No external yards or other external facilities are proposed.

- (7) ***Pet grooming, the sale of pet supplies, and incidental boarding of animals as necessary for convalescence, are permitted as accessory uses; and***

No pet grooming or incidental boarding of animals is proposed.

- (8) ***The Board of Zoning Adjustment may impose additional requirements as it deems necessary to protect adjacent or nearby properties;***

OP makes no recommendations for additional requirements.

IV. OTHER DISTRICT AGENCIES

DDOT, in a memorandum dated May 6, 2020, stated no objection to the application. (Exhibit 13)

No other comments from District agencies were submitted to the record as of the date of the filing of this report.

V. ADVISORY NEIGHBORHOOD COMMISSION

No comments from ANC 6D were submitted to the record as of the date of the filing of this report.

VI. COMMUNITY COMMENTS TO DATE

No community comments were submitted to the record as of the date of the filing of this report.

Attachment: Location Map

