

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: September 23, 2016

SUBJECT: BZA Case 19330 (3210 Georgia Avenue, N.W.) for a special exception to permit dog boarding in a commercial building

I. OFFICE OF PLANNING RECOMMENDATION

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

- H § 1105.1, Animal Boarding

II. LOCATION AND SITE DESCRIPTION

Address	3210 Georgia Avenue, N.W.
Applicant	District Dogs
Legal Description	Square 2892, Lot 910
Ward/ANC	Ward 1/ ANC 1A09
Zone	NC-7
Lot Characteristics	Rectangular lot with access to a ten-foot rear alley
Existing Development	One-story commercial building with no basement or cellar and a surface parking lot
Adjacent Properties	North: Two-story commercial buildings South: Commercial and residential buildings East: Across Georgia Avenue, residential and commercial buildings West: Multi-family building
Surrounding Neighborhood Character	Mixture of residential, commercial, office and institutional uses
Proposed Development	Conversion of a commercial building into an animal boarding establishment not in conformance with the provisions of Subtitle H § 1101.4 (g) (3), the provisions for permitting animal boarding as a matter-of-right.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone: NC-7	Regulation	Existing	Proposed	Relief
Lot Area	None	5,719 sq. ft.	5,719 sq. ft.	None
Lot Width	None	60 feet	60 feet	None
Height H § 803.1	50-foot max.	12 ft., 6.5 in.	12 ft., 6.5 in.	None
None Residential FAR H § 802.1	1.5 max	0.22	0.22	None
Rear Yard H § 805.1	15 foot min.	70.4 feet	70.4 feet	None
Lot Occupancy H § 804.1	100%	22%	22%	None

IV. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief from H § 1105.1(h), Animal Boarding Uses

- i. Animal boarding uses not meeting the conditions of Subtitle H § 1101.4 (g)(3), subject to the following:

- (1) The animal boarding use shall take place entirely within an enclosed building;

The use would take place entirely within an enclosed building.

- (2) Buildings shall be designed and constructed to mitigate noise to limit negative impacts on adjacent properties, including residential units located in the same building as the use. Additional noise mitigation shall be required for existing buildings not originally built for the boarding of animals, including the use of acoustical tiles, caulking to seal penetrations made in floor slabs for pipes, and spray-on noise insulation;

Although the existing building was not designed and constructed to mitigate noise on adjacent properties, it is a masonry building and the applicant proposes to install acoustical tiles, caulk any penetrations made in floor slabs and use spray-on-insulation to mitigate any noise emanating from the property.

- (3) The windows and doors of the space devoted to the animal boarding use shall be kept closed, and all doors facing a residential use shall be solid core;

All windows and doors within the animal boarding area would remain closed. The door at the rear of the building, facing residential uses across the alley, would be solid core.

- (4) No animals shall be permitted in an external yard on the premises;

No external yards are proposed.

- (5) Animal waste shall be placed in closed waste disposal containers and shall be collected by a waste disposal company at least weekly;

The applicant would place all animal waste in closed waste disposal containers, collected at least weekly by a qualified waste disposal company.

- (6) Odors shall be controlled by means of an air filtration system or an equivalently effective odor control system;

The applicant proposes to use an Airpure UV600 air purifier to control odor. A commercial floor scrubber would be used on a daily basis, with spot cleaning as needed.

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

The applicant informed OP that she would provide impervious and washable floors and wall materials forty-eight inches from the floor.

- (8) The Board of Zoning Adjustment may impose additional requirements pertaining to the location of buildings or other structures, entrances and exits; buffers, banners, and fencing, soundproofing, odor control, waste storage and removal (including frequency), the species and/or number of animals; or other requirements, as the Board deems necessary to protect adjacent or nearby property; and

OP makes no recommendations for additional requirements.

- (9) External yards or other exterior facilities for the keeping of animals shall not be permitted.

No external facilities are proposed.

ii. Will be in Harmony with the General Purpose and Intent of the Zoning Regulations and the Zoning Maps

The proposed animal boarding use in conformance with the specific criteria for an animal boarding use within a neighborhood commercial zone, as permitted by the Zoning Regulations and the Zoning Maps.

iii. Will not Adversely Affect the Use of Neighboring Properties

The subject building does not abut any buildings used residentially and is set back 70 feet from the rear alley and 25 feet from the side lot line to the south, providing a significant buffer to the residential uses to the south and west. There are no residential uses within the building to the north.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VI. COMMUNITY COMMENTS

ANC 1A, at its regularly scheduled meeting of July 13, 2016, voted to support the application.

Thirty-four (34) letters in support were submitted to the application.

Attachment: Location Map

