

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: October 7, 2016

SUBJECT: BZA Case 19342 (3303 11th Street, N.W.) for a special exception to permit animal boarding in a commercial building

I. OFFICE OF PLANNING RECOMMENDATION

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

- U § 513.1(m), Animal Boarding

II. LOCATION AND SITE DESCRIPTION

Address	3303 11 th Street, N.W.
Applicants	Peter Revocable Trust and Patrick’s Pet Care
Legal Description	Square 2841, Lot 43
Ward/ANC	Ward 1/ ANC 1A07
Zone	MU-4
Lot Characteristics	Corner lot with no alley access
Existing Development	Two-story office/commercial building
Adjacent Properties	North: Two-story commercial building South: Specialty market East: 3-story flats and row houses West: Across 11 th Street, one-story commercial buildings
Surrounding Neighborhood Character	Mixture of residential and commercial uses
Proposed Development	Conversion of a retail space into an animal boarding establishment not in conformance with the provisions of Subtitle U § 512.1 (k), the provisions for permitting animal boarding as a matter-of-right. The animal boarding would operate from 7:30 am to 8:30 pm, with a maximum capacity of 20 dogs weighing no more than 35 pounds each. The applicant would also do pet grooming as an accessory use.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone: MU-4	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 U § 513.1(m), Animal Boarding Uses

- i. Animal boarding uses not meeting the conditions of Subtitle U § 512.1(k), 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. The applicant would utilize acoustical tiles and seal all penetrations for pipes to mitigate any noise from emanating from the building. The second floor of the building would be used as office space for the animal boarding use.

- (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;

The space occupied by the dog boarding would be improved with inoperable windows only. The only exterior operable door into the dog boarding space would be the main entrance, facing commercial uses across 11th Street. It would be used for access into the space only and would otherwise remain closed.

- (4) 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.

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

To control odor the applicant proposes to install an air filtration system that would be maintained daily and regularly up kept.

- (6) 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 he would provide impervious and washable floors and wall materials forty-eight inches from the floor, and that they would be washed daily.

- (7) 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.

- (8) 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 is 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

Access to the building would be from 11th Street only, and is separated by from the building by the subject property's side yard. The use would also be separated from the residentially used building to the east by an open court. There would be no residential uses within the subject building.

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.

Attachment: Location Map

