



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director Development Review & Historic Preservation

DATE: February 1, 2011

SUBJECT: **MINOR MODIFICATION** - BZA Case No. 17395-B, 1631 Kalorama Road, NW

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the request to modify BZA Order No. 17935, Condition #15 to read as follows:

15. *The area under the dome identified as “unoccupiable” may only be converted to residential space.*

The modification will allow the space above the grocery store to be converted to residential use up to 0.17 FAR.

II. BACKGROUND

BZA Order 17395 approved the reconfiguration of the building to accommodate a grocery store (35,070 square feet) and retail space (23,868 square feet) on the first floor; and office space (7,458 square feet) on the second floor. A signature feature of the building is its curved, barrel shaped roof which gives the main floor of the building a very high roof that the grocery store does not need. A floor between the roof and the main floor was therefore inserted to accommodate office use.

Initially, the applicant proposed converting the entire area within the dome to office use but this increased the overall non-residential FAR of the building to beyond the allowed 1.5 FAR. In order to maintain an FAR of 1.5, the applicant reduced the office space to the area along the east, west and south of the building. In a report dated November 22, 2005, OP expressed concerns that the residual area within the dome could be easily converted to office space and thereby increasing the commercial FAR without a permit. OP therefore recommended and the BZA approved a condition to preclude the use of this space. At the time, OP did not raise concerns about using the space for residential purposes.

III. PROPOSED MODIFICATIONS

In a submission dated January 10, 2011, the applicant requested modifications to BZA Order No. 17935, Condition #15 which states as follows:

15. *The area under the dome identified as “unoccupiable” shall not be converted to useable space.*



IV. OP ANALYSIS OF THE MODIFICATIONS

The applicant has stated that due to the downturn in the economy they have been unable to market the space intended for office use but with indications of recovery in the residential market they are proposing residential use in the area above the grocery store. Residential use is permitted in the RC/C-2-B zone. As written, Condition #15 unintentionally precludes any use of the referenced area when the intention was to preclude commercial use. The applicant has therefore requested that the condition be amended to allow residential use in the unoccupied space and the space approved for office use.

The proposal calls a reduction in the commercial use from the approved 1.5 to 1.17 FAR and for the provision of 33,470 square feet or 0.79 FAR of residential use to house 31 units. The overall 1.96 FAR on the site is substantially below the 3.5 FAR allowed on the site.

The required parking for the approved commercial area is 60 spaces but 126 spaces have been approved. With the introduction of the residential use, the required spaces would be reduced to 58 spaces. Therefore, there are adequate spaces to serve the residential use.

The table below shows the requirements that would change due to the proposed change in use.

RC/C-2-B Zone	Required/Allowed	Approved	Proposal	Deviation
FAR	1.5 - commercial 2.5 - residential Total: 3.5	1.5 - commercial	1.17 - commercial 0.79 - residential Total: 1.96	N/A
Parking	Supermarket - 42 spaces Residential - 11 spaces Retail - 5 TOTAL – 58spaces	TOTAL – 126 spaces	TOTAL – 126 spaces	N/A

No changes would be made to the approved variances for height, lot occupancy, rear yard and loading. OP therefore has no objection and fully supports the proposed residential use and recommends approval of the minor modification.

JLS/Maxine Brown-Roberts, Case Manager