

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: February 16, 2016

SUBJECT: BZA Case 17600-B to permit three fast food restaurants at 300-320 Riggs Road, N.E.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 733, Fast Food Establishments

II. LOCATION AND SITE DESCRIPTION

Address	300-320 Riggs Road, N.E.
Applicant	Fort Totten North, L.L.C.
Legal Description	Square 3748, Lot 52
Ward/ANC	Ward 4; ANC 4B
Zone	C-2-A
Lot Characteristics	Lot occupies entire square with no public alleys
Existing Development	Mixed use residential/commercial building
Adjacent Properties	North: Across Chillum Place, semi-detached dwellings South: Across 3 rd Street, low-rise industrial buildings East: Across Riggs Road, vacant land and free-standing commercial buildings West: Across 3 rd Street, four-story apartment buildings
Surrounding Neighborhood Character	Generally a mixture of low and moderate density housing and light-industrial uses
Proposed Development	Permit three fast food restaurants to occupy three ground-level commercial spaces

III. RELIEF REQUESTED

The applicant proposes to add three fast food restaurants to an existing mixed-use building. The restaurants would be located within spaces specifically designed for commercial use, facing Riggs Road. The three restaurants include Subway, Five Guys and 350 Degrees.

IV. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief pursuant to § 733, Fast Food Establishments

- i. *733.2 No part of the lot on which the use is located shall be within twenty-five feet (25 ft.) of a Residence District unless separated therefrom by a street or alley.*

No part of the lot is within twenty-five feet of a residence district unless separated therefrom by a street. It is separated from the R-2 zone by either Chillum Place to the north or 3rd Street to the west.

733.3 If any lot line of the lot abuts an alley containing a zone district boundary line for a Residence District, a continuous brick wall at least six feet (6 ft.) high and twelve inches (12 in.) thick shall be constructed and maintained on the lot along the length of that lot line. The brick wall shall not be required in the case of a building that extends for the full width of its lot.

No part of the lot abuts an alley.

733.4 Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a Residence District.

No exterior dumpsters are proposed. All dumpsters would be located within the parking garage.

733.5 The use shall not include a drive-through.

No drive-throughs proposed.

733.6 There shall be no customer entrance in the side or rear of a building that faces a street or alley containing a zone district boundary line for a Residence District.

The customer entrances for each of the three fast food restaurants would face Riggs Road, the front of the building, across from which is the C-2-A zone.

733.7 The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions.

The fast food restaurants should not become objectionable to neighboring properties. They would be located within existing commercial space in the building and would utilize modern ventilation systems to decimate odors. Lighting would be internal to the each individual commercial space. Hours of operation for any of the restaurants would be no earlier than 7:00 am on weekdays and 9:00 am on weekends, and no later than 10:00 pm any day of the week.

733.8 The use shall provide sufficient off-street parking, but not less than that required by § 2101.1, to accommodate the needs of patrons and employees.

The existing building was designed to accommodate ground floor commercial uses. Forty-four parking spaces would be provided, in excess of the twenty-two required.

733.9 The use shall be located and designed so as to create no dangerous or other objectionable traffic conditions.

All parking and loading access to and from the building would be from the existing garage entrances specifically designed for this mixed use building.

733.10 There shall be adequate facilities to allow deliveries to be made and trash to be collected without obstructing public rights-of-way or unreasonably obstructing parking spaces, aisles, or driveways on the site.

Loading and refuse facilities would be provided within the garage to the rear of the restaurant spaces.

733.11 The Board may impose conditions pertaining to design, screening, lighting, soundproofing, off-street parking spaces, signs, method and hours of trash collection, or any other matter necessary to protect adjacent or nearby property.

The Office of Planning makes no recommendations for conditions.

733.12 An applicant for special exception under this section may request the Board to modify the conditions enumerated in §§ 733.2 through 733.4; provided that the general purposes and intent of this section are complied with.

No requests were made to modify conditions.

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

The subject application would permit three fast food restaurants to locate within a mixed-use commercial/residential building in the C-2-A, a commercial zone, in conformance with the Section 733 of the Zoning Regulations.

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

The subject property is a mixed use building occupying the entire square, with no adjacent properties. Each of the fast food restaurants would be located within a space specifically designed for commercial use.

V. COMMENTS FROM OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VI. COMMUNITY COMMENTS

No comments were received from ANC 4B.

Attachment: Location Map

