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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM:  Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: July 17, 2012

SUBJECT: BZA 18364 – 717 8th Street, SE

I. RECOMMENDATION

The application by Barracks Row Venture, LLC (applicant) originally requested, pursuant to 11 DCMR § 3103.2, variance from the provision of § 2120.3, parking (2 required, 0 provided) and § 774.1 rear yard (15 feet required, 0 provided).

On June 19, 2010 the Board of Zoning Adjustment (BZA) granted the applicant leave to postpone the public hearing in order to modify the project and present the case to ANC-6B and the Capitol Hill Restoration Society (CHRS).

The modified application now requests, pursuant to 11 DCMR § 3104.1, Special Exception review of the provision of § 2120.3, parking (2 spaces required, 0 spaces provided). The Office of Planning (OP) recommends **APPROVAL** of the requested special exception.

II. AREA AND SITE DESCRIPTION

Address	717 8 th Street, SE
Legal Description:	Square 904, Lot 35
Ward/ANC:	6/ANC-6B
Lot Characteristics:	The rectangular lot has an area of 2,127.06 square feet and fronts on 8 th Street, NW and a 30-foot wide alley to the rear.
Existing Development:	The property is currently developed with a vacant, 2-story building and an accessory garage.
Zoning:	CHC/C-2-A
Adjacent Properties:	The buildings to the north and south are developed with 2- and 3-story buildings respectively, both with retail uses.
Surrounding Neighborhood Character:	The neighborhood has a mixture of uses with 8 th Street characterized by a mixture of 2- and 3-story buildings housing various retail and office uses in the CHC/C-2-A zone. The Marine Barracks occupies a large portion of 8 th Street to the east of the subject property and is zoned R-4. 7 th Street has 2-, 3-, and 4-story buildings with various office and residential uses in the C-2-A zone.
Historic District	Capitol Hill Historic District

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

EXHIBIT NO.

18364
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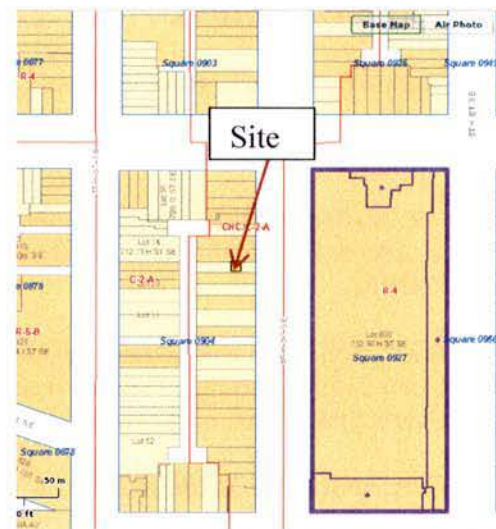
Board of Zoning Adjustment
District of Columbia
CASE NO. 18364
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III. APPLICATION

Currently, the subject property is developed with a vacant, 2-story building and a garage. The latest Certificate of Occupancy (C of O) dated March 29, 2006 shows that the building had an office use. The applicant proposes to renovate the building and add skylight that will connect the existing building to the garage to accommodate a restaurant. The area covered by the skylight will add 528 square feet of space. The applicant proposed to remove the existing, two parking spaces in order to accommodate trash and garbage storage on-site and accommodate required egress stairs from the second floor. Therefore, no on-site parking will be provided.



Photograph of Site



Site Location and Zoning

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

The subject site has a C-2-A base zone and is within the Capitol Hill Commercial Overlay District (CHC). The C-2-A districts are designed *"to provide facilities for shopping and business needs, housing, and mixed uses"*. The R-5-B district permits developments with moderate height (50 feet) and density (2.5 FAR overall and a maximum of 1.5 for nonresidential uses).

Generally, the purpose of the CHC Overlay is designed to *"encourage the adaptive use and reuse of existing building . . . in the Capitol Hill Historic District, particularly with respect to portions of building that exceed commercial floor area ratio permitted in the underlying zone district."* The Overlay allows for a maximum of 3.0 FAR for all the C-2-A permitted uses.

The CHC/C-2-A requirements and how the proposal meets them are outlined below in the table.

CHC/C-2-A Zone	Regulation	Proposed ¹	Relief
Height (ft.) § 770	50 ft. max.	35 ft.	None required
Lot Width (ft.)	N/A	19.50 ft.	None required
Lot Area (sq. ft.)	N/A	2,127 sq. ft.	None required
Floor Area Ratio § 771	3.0	1.61	None required
Lot Occupancy § 772	100% max.	100%	None required
Rear Yard § 774.1 and § 774.1,	15 ft. (measured from the centerline of the 30 ft. alley)	15 ft.	None required
Parking § 2120.6	2 spaces (existing)	0 spaces	Required

V. OFFICE OF PLANNING ANALYSIS

Under the prior office use the parking requirement would be 1 space (1 space/600 square feet in excess of 2,000 square feet of space). Under the proposed restaurant use the requirement is 1 space/300 square feet of space in excess of 3,000 square feet of space. Since the building is contributing to the historic district, an addition would trigger additional parking if the addition were greater than 50% of the existing building (Section 2120.3). In the instant case, the addition would not trigger any additional parking since it is less than 50% of the existing structure. However, since the applicant is removing two existing parking from a historic property, the Zoning Administrator had determined that special exception review under Section 2102.6 is required.

The following demonstrates how these standards are met:

2120.6 The Board of Zoning Adjustment may grant relief from all or part of the parking requirements of this section if the owner of the property demonstrates that, as a result of the nature or location of the historic resource, providing the required parking will result in significant architectural or structural difficulty in maintaining the historic integrity and appearance of the historic resource. The Board shall grant only the amount of relief needed to alleviate the difficulty proved. The applicant shall also demonstrate compliance with the general special exception standard set forth in § 3104 and shall address each of the following criteria as part of its presentation to the Board:

With the new restaurant use, the applicant was faced with the dilemma of retaining the parking spaces, storing trash in the alley, or removing the parking and storing trash on-site. The applicant has determined, with support from the ANC and neighbors, that it is preferable to provide trash storage on-site instead of parking. The applicant therefore proposes to convert on space to accommodate trash storage and the second would accommodate a stairway for egress access to the second floor of the building. Enclosing the trash storage and the egress stairs out of site will maintain the appearance of the historic resource from the alley.

(a) Maximum number of students, employees, guests, customers, or clients who can reasonably be expected to use the proposed building or structure at one time;

The applicant states that the proposed restaurant would have a maximum of 91 seats and is not projected to have a large number of staff.

¹ Information provided by applicant.

(b) Amount of traffic congestion existing and/or that the redevelopment of the historic resource can reasonably be expected to add to the neighborhood;

The applicant states that based on the restaurateurs experience with another restaurant along Barracks Row, it is not anticipated that most of the patrons will be from the neighborhood. In addition, from the same experience, it is expected that most of the workers would access the site via public transportation. Therefore, the removal of the two parking spaces would not result in congestion on neighborhood streets.

(c) Quantity of existing public, commercial, or private parking, other than curb parking, on the property or in the neighborhood that can reasonably be expected to be available when the redevelopment is complete; and

The applicant states that there is a parking lot within two blocks of the property which patrons may utilize. In addition, many of the restaurants along 8th Street participate in a valet service and the proposed operator has committed to being a part of this service.

(d) Proximity to public transportation, particularly Metrorail stations, and availability of either public transportation service in the area, or a ride sharing program approved by the District of Columbia Department of Transportation.

The property is approximately three blocks from the Eastern Market Metro Station, and 8th Street is served by Metro and Circulator bus lines. In addition Capital Bikeshare stations are located to the north of the site at Pennsylvania Avenue/7th Street, SE and south of the site at 8th /Eye Street, SE.

2120.7 Prior to taking final action on an application, the Board shall refer the application to the D.C. Department of Transportation for review and report.

The District Department of Transportation's report will be submitted under separate cover.

The proposal is in compliance with the general Special Exception standard set forth in § 3104 as follows:

The Board . . . the special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. . .

The proposed restaurant would accommodate a maximum of 91 seats and is not expected to generate a large amount of traffic that would lead to traffic congestion or have patrons and staff parking on neighborhood residential streets. It is expected that most of the patrons and employees would walk or take public transportation to the site. Parking by employees on adjacent neighborhood streets would be restricted by required Residential Parking Permits (RPP) and 2-hour parking limits. In addition, while there are some public parking spaces in the vicinity of the site the provision of valet parking services provided by the restaurateur will discourage illegal parking and impacts to traffic movement. The removal of the parking spaces will allow trash storage in dumpster on the property instead of within the right-of-way of the public alley. Therefore, the proposed removal of the two parking spaces will not adversely affect neighboring properties.

VI. HISTORIC DISTRICT

The property is within the Capitol Hill Historic District. The proposal was reviewed and given concept approval by the Historic Preservation Review Board (HPRB) on January 26, 2012 with final approval delegated to the Historic Preservation Office (HPO) staff. Modified alley elevations were submitted to HPO staff for review and approved on June 28, 2012. The proposal has also been reviewed and approved by the Capitol Hill Restoration Society (CHRS).

VII. COMMUNITY COMMENTS

The subject property is within ANC-6B. The project was reviewed by the ANC on June 12, 2012 and the ANC recommended approval of the requested special exception. The applicant has also provided letters in support from adjacent property owners.

VII. SUMMARY AND RECOMMENDATION

OP recommends **approval** of the requested special exception as the applicant has demonstrated that elimination of the two parking spaces meet the standards of the special exception.