

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: September 4, 2012
SUBJECT: BZA Case 18386, 1629 Corcoran Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- Special exception pursuant to § 213 to permit a parking lot in a residence zone,

Subject to the following conditions:

1. Approval shall be for **TEN (10) YEARS** from the effective date of this order.
2. A minimum of approximately 20.8 percent of the lot shall be landscaped as shown on the special exception plat dated 05-18-07.
3. McDonald's franchise operator shall:
 - a. Maintain a landscape maintenance agreement for semi-annual landscape maintenance;
 - b. Promptly contact the landscaping company with whom it has an agreement in the event any plantings appear distressed or dying and to have the company treat and/or replace affected plantings; and
 - c. Provide daily, weekly, and/or as needed regular maintenance and upkeep of landscaping, including watering, weeding and removal of debris from the landscape area.
4. The trash enclosure shall be kept in a neat and tidy condition, and locked and securely covered when not in active use.

II. LOCATION AND SITE DESCRIPTION

Address	1629 Corcoran Street, N.W.
Legal Description	Square 179, Lot 71
Ward	2
Lot Characteristics	Rectangular lot with side and rear alley access.
Zoning	R-5-B- Moderate Density General Residence District DC- Dupont Circle Overlay District
Existing Development	Parking lot
Historic District	Dupont Circle

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18386

EXHIBIT NO. 28

Board of Zoning Adjustment
District of Columbia

Adjacent Properties	North: Across public alley, offices and large apartment buildings South: Across Corcoran Street, small apartment buildings East: Flats and small apartment buildings West: Across public alley, commercial buildings, including McDonald's
Surrounding Neighborhood Character	Residential with commercial uses primarily located along 17 th Street

III. HISTORY

- August 15, 1967: Appeal No. 9000 granted by the BZA to permit the use of the subject property as a parking lot for one year.
- July 13, 2007: Order No. 17618 granted by the BZA to permit the use the subject property as a parking lot, subject to the following conditions:
1. Approval shall be for **FIVE (5) YEARS** from the effective date of this order.
 2. The parking lot shall be improved as shown on the approved drawings in this Order. All parking spaces shall meet applicable standards with respect to size and location as set forth in §§ 2115 and 2116 of the Zoning Regulations.
 3. Consistent with § 2303.1 of the Zoning Regulations, the parking lot shall be designed and striped so that no vehicle or any part of a vehicle projects over any lot line or building line.
 4. Approximately a minimum 20.8 percent of the lot shall be landscaped as shown on the revised site plan approved in this Order (Exhibit 27 – Special Exception Plan No. 1). The landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
 5. McDonald's franchise operator shall maintain a landscape maintenance agreement for the initial installation, planting of landscape improvements and the semi-annual landscape maintenance as shown on the revised site plan approved in this Order.
 6. McDonald's franchise operator shall also provide daily, weekly, and/or as needed regular maintenance and upkeep of landscaping, including watering, weeding and removal of debris from the landscape area.
 7. McDonald's franchise operator shall promptly contact the landscaping company with whom it has a landscaping agreement in the event any plantings appear distressed or dying and to have the company treat, repair, medicate and/or remove and re-plant.
 8. The property shall be kept free of refuse and debris. The trash enclosure on the property shall remain locked and securely covered when not in active use. The trash enclosure shall be kept in a neat and tidy condition.
- March 26, 2012: Applicant filed for continued use of the subject property as a parking lot.

IV. APPLICATION IN BRIEF

The applicant requests to continue the use of the subject property as off-street parking for the McDonald's Restaurant located to the west and across the public alley. No changes to the parking lot are proposed and the applicant proposes to continue to use the lot as previously approved by the Board.

V. ZONING REQUIREMENTS and REQUESTED RELIEF

DC/R-5-B Zone	Regulation	Existing	Proposed	Relief
Lot Area § 401	None prescribed	1,881 SF	1,881 SF	None required
Lot Width § 401	None prescribed	20.3 ft.	20.3 ft.	None required
Parking Spaces § 213	Special Exception only	5 spaces	5 spaces	Relief required

VI. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief pursuant to § 213, Parking Lots

- 213.2 *A parking lot shall be located in its entirety within two hundred feet (200 ft.) of an existing Commercial or Industrial District.*

The parking lot is located in its entirety no more than 30.33 feet from the existing C-2-B district to the west.

- 213.3 *A parking lot shall be contiguous to or separated only by an alley from a Commercial or Industrial District.*

The parking lot is separated only by an alley from a commercial district and the business it would serve.

- 213.4 *All provisions of chapter 23 of this title shall be complied with.*

2303.1 *A parking lot in any district shall conform to the following provisions:*

- (a) *All areas devoted to driveways, access lanes, and parking areas shall be surfaced and maintained with an all-weather surface. In addition to traditional impervious surfaces, allowable all weather surfaces include porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel;*

The parking lot is improved with an all-weather surface.

- (b) *The parking lot shall be designed so that no vehicle or any part of a vehicle projects over any lot line or building line;*

The parking lot was designed and has been improved so that no vehicle or any part of a vehicle projects over any lot line or building line. A metal guardrail prevents vehicles from extending over the lot line.

- (c) *No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the use or structure is otherwise permitted in the district in which the parking lot is located;*

No other use is proposed to be conducted from or upon the premises and no parking attendant would be provided. The only structure erected upon the premises is a dumpster enclosure, pursuant to the site plan approved under the previous BZA application.

- (d) No vehicular entrance or exit shall be within forty feet (40 ft.) of a street intersection as measured from the intersection of the curb lines extended;*

The nearest street intersection is located approximately 110 feet from any vehicular entrance to the lot.

- (e) Any lighting used to illuminate a parking lot or its accessory buildings shall be arranged so that all direct rays of the lighting are confined to the surface of the parking lot; and*

No lighting is provided within the lot. All lighting emanates from either the adjacent street or alleys, or from exterior building lighting from structures located across the alley.

- (f) The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of five percent (5%) of the total area of the parking lot, or an area as determined by the Board of Zoning Adjustment for a parking lot otherwise requiring Board approval.*

The applicant maintains a contract with a landscaping service to perform semi-annual standard maintenance of the landscape improvements. Landscaping covers approximately 20.8 percent of the lot.

2303.2 In addition to the requirements of § 2303.1, a parking lot located in an R-1, R-2, R-3, R-4 or R-5-A District, and a parking lot located in any other district where such parking lot is contiguous to an R-1, R-2, R-3, R-4, or R-5-A District, shall be screened from all contiguous residential property located in the R-1, R-2, R-3, R-4, or R-5-A District by a solid brick or stone wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high or by evergreen hedges or evergreen trees that are thickly planted and maintained and at least forty-two inches (42 in.) in height when planted.

- (a) The parking lot shall be screened from all contiguous residential property located in an R-1, R-2, or R-3 District by a solid masonry wall at least twelve inches (12 in.) thick and forty-two inches (42 in.) high; and*

- (b) All parts of the lot not devoted to parking areas, driveways, access lanes, attendant's shelter, or required screening walls shall be kept free of refuse and debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.*

Not applicable. The subject property is neither located within nor contiguous to a lot within an R-1, R-2, R-3, R-4, or R-5-A district.

2303.3 If approved by the Board of Zoning Adjustment as a special exception under § 3104, the conditions in § 2303.2 may be waived or modified.

Not applicable.

2303.4 Before authorizing a waiver or modification, the Board shall consider:

- (a) The adequacy of protective and screening walls located on adjacent residential property;*
- (b) Topographic and traffic conditions; and*
- (c) Any adverse effect the requested waiver or modification of standards may have on adjacent residential property.*

Not applicable.

2303.5 The Board may require any special treatment of the premises that it deems necessary to protect the value of adjacent property.

OP makes no recommendations for special treatment.

213.5 No dangerous or otherwise objectionable traffic conditions shall result from the establishment of the use, and the present character and future development of the neighborhood will not be affected adversely.

In 2007, under BZA Order 17618, the Board found that no objectionable traffic conditions would result, and no changes to the operation of the parking lot are proposed under the subject application. Use of the subject property as a parking lot would continue to not adversely affect future development of the neighborhood as use of the site as a parking lot continues to not preclude its residential use in the future.

213.6 The parking lot shall be reasonably necessary and convenient to other uses in the vicinity, so that the likely result will be a reduction in overspill parking on neighborhood streets.

The lot is conveniently located to the McDonald's restaurant it is intended to serve, separated only by a ten-foot public alley.

213.7 A majority of the parking spaces shall serve residential uses or short-term parking needs of retail, service, and public facility uses in the vicinity.

All of the parking spaces serve the short-term parking needs of McDonald's.

213.8 Before taking final action on an application for use as a parking lot, the Board shall submit the application to the D.C. Department of Transportation for review and report.

No comments were received from DDOT.

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

The proposal would allow for the continuation of an existing parking lot within a residential zone, as permitted pursuant to Section 213 of the Zoning Regulations, to continue.

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

The proposal would not tend to affect adversely the use of neighboring property as it is designed in conformance with the provisions of Section 213 of the Zoning Regulations. Located at the confluence of a residential and a commercial zone district, the lot would serve the needs of a commercial business establishment while also accommodating the off-street parking needs of a business whose patrons might otherwise park within the adjacent residential community.

The Historic Preservation Office had no comments on the application.

VII. COMMUNITY COMMENTS

ANC 2B, at its regularly scheduled meeting of July 11, 2012, voted to support the application.

VIII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from the District Department of Transportation (DDOT).

Attachment: Location Map

