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MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: October 9, 2012
SUBJECT: BZA Case 18417- 550 Penn Street NE

I. OFFICE OF PLANNING RECOMMENDATION

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

- Area variance relief under § 2101 – parking - (26 spaces required, none proposed);
- Area variance relief under § 2201.1 – reduction in loading berth sizes (**Required** =1 berth @55 ft.; 1 berth@ 30 ft.; 1 platform@200 ft.; 1 platform @ 100 ft.; **Proposed** 2 berths @ 25 ft. and 2 platforms @100 ft.;

to permit the renovation and reuse of a former warehouse as a light industrial food processing kitchen and food storage.

II. LOCATION AND SITE DESCRIPTION

Address	550 Penn Street NE
Legal Description	Square 3594, Lot 0002
Ward/ANC	5 /ANC 5B06
Zoning	C-M-1
Lot Characteristics	Triangular-shaped lot at 100 percent lot occupancy. No public alley.
Adjacent Properties	To the north, a lighting fixture showroom; Penn Street and Brentwood Parkway to the south and southeast and federal property of the NPS's Brentwood Maintenance facility to the east of the site.
Neighborhood Character	The neighborhood is historically a light industrial and commercial wholesale distribution district bounded by New York Avenue, 6 th Street and Brentwood Parkway and Florida Avenue.

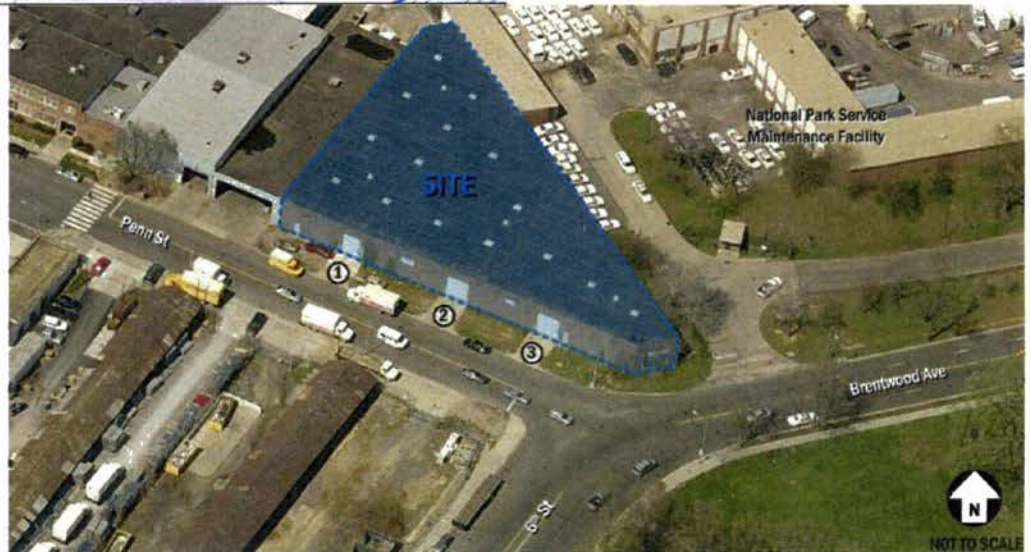
BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18417

EXHIBIT NO. 29

Board of Zoning Adjustment
District of Columbia





ZONING MAP and AERIAL PHOTO

III. APPLICATION IN BRIEF

As a part of the broader Florida Avenue Market/Union Market revitalization project, the former warehouse building is proposed to be renovated into a light industrial kitchen with on-site food preparation and small-scale wholesale food sales for about five tenants. The site currently provides no parking and has three loading entrances which enabled trucks to enter and leave the warehouse's interior, as shown in the aerial above. The interior would be redesigned and partitioned to accommodate up to five tenants. Two of the existing driveways will be relocated and loading operations are proposed to be conducted through backing maneuvers, typical of many loading operations in the Florida Avenue Market district and this building in its recent past. Tenants would be expected to use cargo vans and small refrigerated box trucks, as explained and pictured in the applicant's transportation statement.

Therefore, based on the site's existing condition, the applicant has applied for relief from the parking and loading requirements to accommodate the proposed uses.

IV. ZONING REQUIREMENTS and REQUESTED RELIEF

C-M-1 Zone	Regulation	Existing	Proposed	Relief
Lot Area	N/A	26,251 sf	same	None required
Parking § 2101.1	1 space/1,000 sf = 26 spaces	None	None	Variance relief
Loading § 2201.1	1 berth@ 55 ft 1 berth @ 30 ft 1 platform @ 200sf 1 platform @ 100 sf		2 berths@ 25 ft 2 platforms @ 100 sf	Variance relief

V. OFFICE OF PLANNING ANALYSIS

Area variance relief from §§ 2101-Parking and 2201-Loading

i. Exceptional Situation Resulting in a Practical Difficulty

The property's existing condition of one hundred percent lot occupancy, lack of alley access and its triangular shape combined, create a practical difficulty for the applicant in providing the required on-site parking spaces and the required sizes of the loading facilities.

Parking

The existing lot occupancy provides no available land area to accommodate the required on-site parking spaces in a surface lot. The building would not be demolished and expensive engineering for an already developed site would be impractical in order to provide underground parking for vehicle storage. If parking were to be included within the building via the loading area, approximately 5,000 sf would be devoted solely to the parking area for the required 26 spaces within the structure, not including the required areas for drive aisle and other access features. This would significantly impact the irregularly shaped 26,000 sf interior by reducing the tenant spaces, which would be unnecessarily burdensome on the applicant.

Loading

The lot's coverage and irregular shape also creates a practical difficulty for the provision of the required 55-foot loading berth. A larger truck would have difficulty maneuvering or accessing the loading dock due to the width of the Penn Street right-of-way and the location of the lot at the busy intersection of Brentwood Parkway and Penn Street.

The previous single warehouse use was accessed via three curb cuts, and loading was conducted in the interior of the site. The proposed use would have five different business operations located in separate units with no ability to share loading facilities since there is no alley access at the rear. In addition, future tenants require the ability to store a service vehicle on site, in climate controlled conditions and would use smaller sized delivery vans for their individual loading and distribution operations.

Therefore, the provision of a 55-foot loading berth would create a practical difficulty for the applicant in redesigning the existing warehouse interior to satisfy individual needs of future tenants.

ii. No Substantial Detriment to the Public Good

There would be no substantial detriment to the public good should relief be granted from the parking and loading requirements. The area is well served by public transportation and the

applicant has agreed to install bike racks to encourage bicycle use by employees. Pedestrian access would also be improved through the installation of a sidewalk and curb in public space adjacent to the site with an accessible ramp at the crosswalk. The applicant has worked with DDOT on the evaluation of the submitted Transportation Impact Statement. DDOT would submit its report under separate cover.

The applicant has proposed the provision of three on-site loading berths to be accessed off Penn Street for three tenants, using the existing curb cuts (with minor adjustments in location of the two curb cuts). One 8' x 25' sized loading space is proposed within the public space, which would require separate approval. Given the nature of the operations of future tenants, OP does not anticipate a detriment to the public good. The loading and distribution operations are intended to serve businesses within the DC area so that large trucks are not required for their operations. The use of smaller commercial vans and cargo trucks substantially reduces the traffic impacts due to the time required for turns and maneuvers in the public right-of-way. Therefore, there should be little adverse impact on the transportation and pedestrian network.

iii. No Substantial Harm to the Zoning Regulations

The continuation of the property's established light industrial use within the C-M-1 District would not be detrimental to the Zoning Regulations. The proposed use would not adversely impact the neighborhood's character or cause adverse impacts on the surrounding neighborhood since the loading and parking operations have existed in a similar fashion. Therefore, no substantial harm to the Zoning Regulations would result from granting the requested variance relief from the parking and loading requirements.

VI. COMMUNITY COMMENTS

The application was unanimously approved by ANC5 at its regularly scheduled meeting on October 4, 2012. The Trinidad Neighborhood Association also voted to support the requested relief in its letter dated October 4, 2012, as submitted to the record.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

The District Department of Transportation expressed no objection to the requested relief. Their report dated October 4, 2012 was issued under separate cover.