

George Keys

From: LeGrant, Matt (DCRA) [matthew.legrant@dc.gov]
Sent: Wednesday, July 03, 2013 4:23 PM
To: George Keys
Subject: RE. 3500 14th Street NW (Lot 43, Square 2688)

George Keys-

I would say there is not a parking standard that applies since there is no standard specified in this zone for the retail use; it is simply up to the BZA to address when there is an application before them. However, for the reasons you outlined below, including the exemption from parking set forth in Section 2120.6, there would be no parking required for the proposed adjunct retail use.

Please let me know if you have any further questions.

Best Regards,

Matthew Le Grant

Zoning Administrator
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 Web: <http://dcra.dc.gov/DC/DCRA/Permits/Certificates+of+Occupancy+and+Zoning>

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From: George Keys [mailto:gkeys@jordankeys.com]
Sent: Tuesday, June 25, 2013 3:24 PM
To: LeGrant, Matt (DCRA)
Subject: 3500 14th Street NW (Lot 43, Square 2688)

Matt: DCRA approved a temporary Certificate of Occupancy (CO1300798) for a 3,380 sq. ft. ground floor space in this 203-unit apartment building to operate as a "retail variety store with sale of prepackaged items and prepared food" until October 25, 2013. The historic apartment building (The Cavalier Apartments) is located in an R-5-E zone, which prior to a 1994 map amendment (ZC Case 93-10Z) had been C-2-A. I have been asked to file a use variance application with BZA.

BOARD OF ZONING ADJUSTMENT
 District of Columbia
 CASE NO. 18672
 EXHIBIT NO. 11

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I have a concern that I may also have to file for relief from any off-street parking requirements under Sec. 2101.1. My reasoning is that, although there is no mention in Sec. 2101.1 of parking requirements for "retail uses" in a Residential District, the most restrictive zone district which does include "retail uses" requires one parking space per 300 sq. ft above 3000 sq. ft. The building contains two other commercial spaces with valid Certificates of Occupancy that total over 2200 sq. ft. My concern is that you would potentially require parking be provided for the aggregate of the commercial uses above 3000 sq. ft. As a historic building, we could take advantage of Section 2120.6 which would by special exception waive parking requirements for a historic resource. I am certainly willing to apply for the additional relief, but if it is not necessary, I'd just as soon save the \$1,560 for my client.

Do you have any thoughts on this issue? I would value your advice.

George R. Keys, Jr.
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