

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin AICP, Case Manager
Joel Lawson, Associate Director Development Review
DATE: September 2, 2014

SUBJECT: BZA Case 18770, 405 8th Street, S.E. - SUPPLEMENTAL REPORT

The Office of Planning (OP) submits the following revisions to the conditions of approval contained within its report dated September 2, 2014. These revisions correct the proposed conditions of approval contained within the OP report to reflect conditions agreed to by the applicant and the ANC, but were inadvertently omitted in the OP report. Additions are marked in **bold**, deletions in ~~strikeout~~.

1. Approval shall be for a period of ten (10) years from the effective date of this order.
2. Hours of operation shall not exceed:
 - a. Sundays through Wednesdays, 10:00 am to 11:00 pm;
 - b. Thursdays, 10:00 am to midnight; and
 - c. Fridays and Saturdays, 10:00 am to 2:00 am.
3. Garbage shall be collected a minimum of six days per week, and recycling a minimum of five days per week, subject to the following:
 - a. Collections shall not occur before 7:00 am;
 - b. Applicant shall provide the garbage and recycling companies with keys to the trash enclosure;
 - c. All receptacles shall be kept within the trash enclosure only, except when being hauled to or from sanitation trucks;
 - d. All receptacles must be secured with lids at all times, including while within the trash enclosure and while being hauled to and from sanitation trucks. **Exterior doors to the trash enclosure shall remain closed at all times except when refuse is being hauled to sanitation trucks.**
 - e. Garbage and recyclables shall be placed within receptacles within the trash enclosure only;
 - f. Garbage and recycling spills shall be cleaned as they occur.
 - g. Prior to each day's opening applicant shall ensure that no debris was left within the breezeway and that the trash enclosure doors are properly shut and secure.
 - h. The trash enclosure shall be power washed weekly, or more often if necessary, to

prevent food or grease film on the floor of the enclosure, breezeway and receptacles.

- i. Applicant shall allow DPW, DCRA and Zoning Administrator inspectors to access the trash enclosure and breezeway at any time.
4. The applicant shall use vent-less oven systems and install a vent-less hood system over each oven. Minimal general exhaust shall vent through the front of the building. **No vents shall be permitted on the roof or at the rear of the property.**
5. No outdoor seating shall be permitted, including the rear yard and the roof. Employees shall not be permitted to take breaks within the rear yard or the breezeway.
6. The existing HVAC unit at the rear of the property shall be replaced with new models to be relocated to the roof and soundproofed using standards employed by ArtUSA (or similar noise control product business) at 413 8th Street, S.E. The same standards shall be used to soundproof the condenser/AC unit to be installed atop the trash enclosure. No additional mechanical equipment shall be installed **on the roof or** at the rear of the property.
7. The trash enclosure shall include a trash compactor, ~~and~~ cardboard baler **and odor control unit** to be constructed as proposed and incorporate the recommendations contained in the rodentologist report dated May 22, 2014, with the exception of nos. 12, 15 and 16, which are not applicable to this site.
8. Deliveries shall be made through the front only. No deliveries may be made through the breezeway.
9. The applicant shall frequently remove trash and debris from and power-wash the sidewalk to the front of the property.