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06 JAN 2015

District Of Columbia Office Of Zoning
DC Board of Zoning Adjustment
441 4th St., NW; Ste. 200-S
Washington, DC 20001

re: Statement of Intended use for BZA Case # _____, Request
for an special exception for a Fast Food Restaurant at 1918 14th
St., SE in a C-2-A zone under §733 and §3104 of Title 11

Dear Members of the Board;

This letter is identical to the letter of Burden of Proof also uploaded.

This letter is in support of the above referenced application. A
description of the plans and the form of zoning relief, as well as a
statement in support of the application are set forth below.

AREA & SITE DESCRIPTION

<u>Address:</u>	1918 14TH ST., SE
<u>Legal Description:</u>	Square 5767, Lot 1019
<u>Ward/ANC:</u>	8/8A
<u>Lot Characteristics:</u>	The lot area is 37,440 sq ft. The Good Hope Rd frontage is 168'±. The 14th street frontage is 260'. The land slopes up to the south so that at the back of the building the land is about 5' higher than at the front.
<u>Zoning:</u>	The north 130 ft of the lot is zoned C-2-A; the south 130 ft is zoned R-3.
<u>Existing Development:</u>	1918 14th St., SE was originally built as a Safeway supermarket in the 1960's. The building footprint includes 15,282 sq ft in the eastern part of the northern C-2-A half of the

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District of Columbia
CASE NO.18955
EXHIBIT NO.30

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property. The cellar gross area is 4137 sq ft and includes the elevator shaft, elevator machine room, a utility room, two restrooms and fire service equipment; the space was used for supermarket storage and remains largely empty. The mezzanine level is a full 9'± above the ground floor and is served by a loading dock accessed from the south parking lot and the elevator. The main driveway enters from the north at the west side of the lot. The driveway provides parking along its length and access to additional parking at the south which occupies the entire R-3 portion of the property.

In the process of conversion from a supermarket several alterations and repairs have been completed. These include the addition of windows and a new entrance at the Good Hope Rd. elevation, the creation of a new entrance at the NW corner of the building, and replacement of the original windows at the west elevation along with a third new entrance. Electric, water and gas services have been updated to serve multiple tenants. And the entire roof assembly has been replaced.

The building has thus been converted to a multi-tenant structure. Existing tenants are a dialysis center, FMC Potomac, occupying 10,121 sq ft on the ground floor, and 7-eleven in 2542 sq ft, also on the ground floor. The mezzanine and cellar are currently untenanted.

The area available for sidewalks, parking, loading and trash dumpsters is 21,194 sq ft. In that area are 41 parking spaces, loading dock

access for large trucks to the mezzanine, and a large dumpster enclosure. Parking requirements for the existing tenants are:

Dialysis: 27 spaces

7-eleven: 11 spaces

TOTAL: 38 spaces

Historic District:

The property is not in any Historic District but abuts the Anacostia Historic District across U Street at the south property line.

Adjacent Properties:

To the east along Good Hope Rd in the C-2-A zone are a number of old attached row structures occupied by commercial enterprises. South of those and east of the subject site is the Ketcham Elementary School. 14th St., SE bounds the west property line; U St., SE bounds the south property line and separates the property from the Anacostia Historic District.

Surrounding Neighborhood Character:

The neighborhood consists of a mixture of row structures, detached structures, commercial, residential, religious and municipal structures of about 30 to 40 ft height. Good Hope Rd is the major east/west thoroughfare and borders the north of the lot. Another major thoroughfare, Minnesota Ave., SE, intersects and dead ends into Good Hope Rd from the NE just at the NE corner of the property.

PROJECT DESCRIPTION IN BRIEF

Applicant: Little Ceasar's Pizza

Proposal: 1474 sq ft at the northeast quadrant of the building is not yet built out. The Little Ceasar's Pizza chain has a lease to occupy the space. Little Ceasar's is a fast food establishment. There will be no customer seating and no pizza delivery. There will be no increase to either the gross floor area or the total FAR of the building. Per §2101.1,

since the Little Caesar's will be smaller than 1500 sq ft, no additional parking spaces are needed, although three are provided.

ZONING REQUIREMENTS

The zoning requirements are itemized in the Self Certification form #135.

BACKGROUND AND RELIEF SOUGHT:

The applicant is requesting a Special Exception pursuant to §733 and §3401 for this fast food pizza restaurant to locate in this C-2-A zone.

Application

The layout will consist of an area up front for customer pick ups and a larger area for storage, a walk-in cooler, prep and kitchen functions, and an ADA toilet for employee use.

ANALYSIS

Special Exception: §733 Fast Food Establishments In C-2-A Districts

733.1 Fast food establishments shall be permitted in a C-2-A District as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.

Relief sought by this application is for a "Special Exception" according to the §3104 of Title 11, and the specific requirements enumerated in §733.

733.2 No part of the lot on which the use is located shall be within twenty-five feet (25 ft.) of a Residence District unless separated therefrom by a street or alley.

The lot 1019 is divided into C-2-A (north) and R-3 (south). The R-3 portion is entirely composed of exterior parking spaces and is separated from all other R-3 areas by streets, except at the playground of the Ketchum Elementary School at lot 818 which abuts to the east and is separated from lot 1019 by a concrete retaining wall and a chain link fence. Effectively, the parking area provides the same benefits an alley would. All building tenant spaces are located in the C-2-A portion of the lot. No part of the Little Caesar's tenancy is within 80' feet of any "R" zone.

733.3 If any lot line of the lot abuts an alley containing a zone district boundary line for a Residence District, a continuous brick wall at least six feet (6 ft.) high and twelve inches (12 in.) thick shall be constructed and maintained on the lot along the length of that lot line. The brick wall shall not be required in the case of a building that extends for the full width of its lot.

There is no alley. The rear wall of the building meets the thickness and construction requirements of this section, although the building does not extend across the full width of the lot because the lot is so large.

733.4 Any refuse dumpsters shall be housed in a three (3) sided brick enclosure equal in height to the dumpster or six feet (6 ft.) high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face a Residence District.

There is an existing dumpsters enclosure: a solid walled enclosure with a concrete slab and swinging doors. The enclosure is a steel framed structure with wood slat facing.

733.5 The use shall not include a drive-through.

There is no drive-thru. The applicant's space is more than 87' from the driveway.

733.6 There shall be no customer entrance in the side or rear of a building that faces a street or alley containing a zone district boundary line for a Residence District.

There are no customer entrances in either the side or rear of the building that face any Residence District.

733.7 The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions.

The configuration of the building, by its original design and nearly 50 years of use as well as current modifications and recent use, is not objectionable by dint of noise, sounds, lights, hours of use, etc.

733-8 The use shall provide sufficient off-street parking, but not less than that required by § 2101.1, to accommodate the needs of patrons and employees.

Per section 2101.1, this tenant space of less than 1500 sq ft requires no parking spaces. However, after accounting for spaces required by the dialysis center and the 7-eleven, there are 3 spaces in excess of those required and available to be utilized by Little Ceasar's.

733.9 The use shall be located and designed so as to create no dangerous or other objectionable traffic conditions.

Traffic flow and conditions are the same as have been in use for almost 50 years.

733.10 There shall be adequate facilities to allow deliveries to be made and trash to be collected without obstructing public rights-of-way or unreasonably obstructing parking spaces, aisles, or driveways on the site.

Loading and trash facilities and access to them are generous and will not obstruct traffic flow. Please see the site plan.

733.11 The Board may impose conditions pertaining to design, screening, lighting, soundproofing, off- street parking spaces, signs, method and hours of trash collection, or any other matter necessary to protect adjacent or nearby property.

733.12 An applicant for special exception under this section may request the Board to modify the conditions enumerated in §§ 733.2 through 733.4; provided that the general purposes and intent of this section are complied with.

Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?

Relief can be granted without substantial detriment to the public good. The previous use of the structure since the 1960's has been as a

supermarket. The provision of prepared pizza meals is in a similar vein to some aspects of the previous use and is current supermarket practice. This service will meet a distinct community need. And since the proposed use will be so small, the opportunity for negative impact will be minimal. Noise and privacy at this existing commercial location will be likewise minimal, and additional light and activity at this location will likely prove to be a benefit.

COMMUNITY COMMENTS/ANC

No ANC hearing has yet been held. No comments have been received at this time. They will be provided as they are received.

CONCLUSION

The building ground floor area at 1918 14th St., SE is already 90% leased and built out. The remaining available area of 1474 gross sq ft is small. It is located at the intersection of two main thoroughfares in a commercial zone but near the residential customers who will likely benefit from its services.

In closing, we think the relief requested will be of a net benefit to the neighborhood with no negative impact. We therefore ask your support and thank you for your consideration of this application;

Stephen duPont, Jr. RA

cc: Little Ceasar's Pizza
Mossadaq Chughtai
file

A handwritten signature in dark ink, appearing to read 'Stephen duPont, Jr.', is written over a faint, light-colored background that looks like a piece of paper or a stamp.