

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, AICP, Case Manager
 JL Joel Lawson, Associate Director Development Review
DATE: June 23, 2015
SUBJECT: BZA Case 19034, 1931 11th Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 213, Parking Lots.

Subject to the following conditions:

1. Approval shall be for a period of **one (1) year**.
2. Prior to the issuance of a certificate of occupancy, the applicant shall improve the site in conformance with the site plan dated June 2, 2015, as submitted to the OP. The applicant shall also submit the site plan into the official file at the Office of Zoning.
3. Evergreen shrubs at least forty-two inches (42 in.) in height shall be thickly planted and maintained along the 11th Street frontage.
4. Gates to the lot shall be kept closed at all times except to permit the entrance or exit of patrons and/or their vehicles.
5. No parking shall be permitted within public space.
6. No loitering shall be permitted on the property.

II. LOCATION AND SITE DESCRIPTION

Address	1931 11 th Street, N.W.
Legal Description	Square 333, Lot 36
Ward	1B
Lot Characteristics	Level rectangular lot with rear alley access
Zoning	R-4 – detached and semi detached single family dwellings.
Existing Development	Surface parking lot
Historic District	Greater U Street

Adjacent Properties	North: Remainder of parking lot and two-story commercial buildings South: Flats and row houses East: Across the public alley, masonic hall West: Across 11 th Street, row houses and flats
Surrounding Neighborhood Character	Moderate density residential to the south; commercial uses to the north along U Street.

III. APPLICATION IN BRIEF

The applicant proposes to continue operation of a surface parking lot on a split-zoned property to accommodate nearby businesses. The lot, as shown on the site plan submitted to OP and dated June 2, 2015, would be redesigned from the current configuration to include eight parallel parking spaces, four along the northern property line and four along the southern lot line, separated by a twenty-foot wide aisle. Ingress and egress would be from an existing fifteen-foot wide curb cut from 11th Street.

IV. RELIEF REQUESTED

The southern half of the lot is located within R-4 zone and the northern half is zoned Arts/C-2-A. Special exception relief pursuant to Section 213 is required to operate a parking lot within the R-4 zone. As the two lots are adjacent and the proposed parking lot would operate as one facility, the site plan depicts both lots.

V. HISTORY

The site currently operates as a parking lot. BZA Application No. 18809 was filed by the applicant in 2014 to use the subject property as a parking lot. On December 23, 2014 the applicant submitted a letter to the file requesting to withdraw the application.

VI. OFFICE OF PLANNING ANALYSIS

Special Exception Relief pursuant to § 213, Parking Lots

- i. *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 residential portion of the lot is located within twenty feet of an existing commercial district.

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

The R-4 zoned portion of the parking lot is contiguous to a commercial district.

- 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 asphalt paved. The plat dated June 2, 2015 indicates that the asphalt paving would be repaired. Should the lot require repaving OP requests the applicant consider the use of pervious paving materials.

(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 is improved with chain link fences along the eastern and western lot lines, and buildings to the north and south, preventing vehicles from projecting over any 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;

The property is and is proposed to continue as a parking lot only with no structures.

(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 vehicular entrance onto 11th Street is more than forty feet from a street intersection.

(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

The application indicates that lighting for the parking lot is located on the party walls of the adjacent structures, and directed to the surface of the lot.

(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.

Two landscaped areas are proposed for the lot, one each on either side of the entrance on 11th Street to be planted with shrubs for a total of 277.5 square feet or 7.4 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.*

There are no contiguous properties in the R-1, R-2 or R-3 Districts. To the south the lot would be screened from the R-4 by the party wall shared with the row house on the property to the south. To the west, across 11th Street, the applicant proposes the planting of shrubs. To conform to this criterion, the shrubs shall be thickly planted evergreens, a minimum of 42 inches in height.

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.

No request was made by the applicant to waive or modify this provision.

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.

The Office of Planning recommends the applicant bring the site into conformance with the site plan submitted to OP prior to the issuance of a certificate of occupancy.

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.

The subject parking lot would serve the needs of the nearby commercial district along U Street and there is no indication that the current operation has created objectionable traffic conditions. The redesigned lot would continue to serve off-parking needs of the community.

To ensure that the neighborhood would not be adversely affected, the applicant shall keep the gates closed at all times, except to permit the ingress or egress of patrons and/or their vehicles to ensure that no loitering takes place on the property. The applicant shall also not permit the parking of vehicles within the public space to the front of the property along 11th Street, between the curb and the property line.

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 parking lot is located adjacent to the U Street commercial district and is conveniently located to serve those commercial uses.

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.

The application indicates that the parking lot would serve nearby businesses.

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.

DDOT comments will be submitted separately.

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

The proposal would supplement off-street parking needs of a nearby commercial district in conformance with the provisions of the Zoning Regulations.

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

The subject parking lot would be screened and buffered from neighboring residential uses and would supplement off-street parking needs of neighboring commercial businesses. It would not tend to affect adversely neighboring properties, provided access to the lot is controlled, loitering is not permitted, parking is not permitted within public space and a minimum of five percent of the lot is landscaped.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from other District agencies.

VIII. COMMUNITY COMMENTS

ANC 1B, at its regularly scheduled meeting of June 4, 2015, voted to oppose the application.

Three letters were submitted to the file in support.

Nine letters were submitted to the file in opposition.

Attachment: Location Map

