

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Anne Fothergill, Case Manager
JL Joel Lawson, Associate Director for Development Review

DATE: December 8, 2015

SUBJECT: BZA Case No.19140, 412 V St N.E.

I. OFFICE OF PLANNING RECOMMENDATION

Based on the information provided by the Applicant to date, the Office of Planning (OP) **cannot support** the requested area variance from the minimum parking requirements of § 2100 in the C-M-2 zone.

This application was originally filed for special exception relief; however, the Zoning Administrator has since determined that variance relief is required. The Applicant has not provided any additional information to address the variance test.

In addition, there are a number of other parts of this application that appear to be incomplete. The Applicant is proposing a use change from a storage facility to private club within the C-M-2 zone. The property is located adjacent to the R-4 zone. OP has not seen any submission indicating that the Applicant has met with the ANC. Finally, the Applicant needs to go to the Public Space Committee and DDOT is currently working with them on that review.

This OP report provides only a cursory review of the application since very limited information was provided. Additional OP analysis may be provided at or prior to the public hearing for this case depending on the timing of the Applicant's supplemental submission.

II. LOCATION AND SITE DESCRIPTION

Address:	412 V St NE
Legal Description:	Square 3621, Lot 0044
Ward:	5
Lot Characteristics:	A rectangular lot of 10,720 square feet
Zoning:	C-M-2 – medium bulk commercial and light manufacturing are allowed in this district; the proposed use change from storage facility to private club is allowed.
Historic District:	None
Adjacent Properties:	Along 5 th Street there are predominantly industrial uses but the subject property is located directly across an alley from residential buildings in the R-4 zone along 4 th Street and west as well as across V Street closer to 5 th Street.



III. ZONING REQUIREMENTS and REQUESTED RELIEF

The Applicant is proposing a use change from a storage facility (vacant for 4 years) to a private club within the C-M-2 zone. The subject property currently has 8 non-conforming and unpermitted parking spaces directly in front of the building, which are partially in public space (see photos of existing conditions in Exhibit 8). The application shows 3 parking spaces within the building. The Zoning Administrator has determined that the Applicant will need a variance to provide 0 of the 12 parking spaces required by the use change for the property.

IV. OFFICE OF PLANNING ANALYSIS OF REQUESTED RELIEF

a. Exceptional Conditions Resulting in a Practical Difficulty

To date, the Applicant has not made a case that there are unique physical characteristics of the subject property or any other extraordinary or exceptional situation or condition affecting the property that lead to a practical difficulty for the owner of the property. However, the applicant submitted a site plan that shows that the footprint of the building occupies almost the entire property, which leads to a practical difficulty for the Applicant in providing the required 12 spaces of off-street parking.

b. No Substantial Detriment to the Public Good

Without more information, it is difficult for OP to assess whether the granting of parking relief would result in substantial harm to the public good. The building was previously used as a warehouse for storage but has been vacant for four years. The subject property is located in an industrial zone and the Applicant states that there is sufficient on-street parking along Fifth Street at night, when this property would be used. However, the property is adjacent to residential properties and it is possible that the patrons of the new use could park in the residential area and possibly adversely impact those neighbors. OP has requested additional information from the Applicant to evaluate this variance review criteria.

c. No Substantial Harm to the Zoning Regulations

The building was previously used for storage and is located on a block of other industrial uses. The proposed use change to private club is allowed within the C-M-2 zone, but additional information on the impacts of the new use with no parking provided is required.

In conclusion, OP finds that the applicant has not submitted enough information for a full review and recommendation regarding the three-prong variance test and at this point OP cannot support the requested relief.

V. COMMENTS OF OTHER DISTRICT AGENCIES

At the time of this report, there were no comments from any other District agency. DDOT has advised the Applicant that they will not support parking in front of the building within public space. DDOT has advised the Applicant on the Public Space Committee application and review process. The Public Space Committee may require that the Applicant remove the curb cuts and provide installations including curbs, gutters, sidewalks, trees, and planting strips to be consistent with public space requirements and to serve as a transition to the adjacent residential neighborhood.

VI. COMMUNITY COMMENTS

There were no ANC or other community comments on file at the time of this report.

The applicant provided a letter of support from City Councilmember David Grosso (Exhibit 22).