



2017 NOV 15 AM 11:33

Commission Members

Presidential Appointees

L. Preston Bryant, Jr., *Chairman*
Thomas M. Gallas
Elizabeth A. White

Mayoral Appointees

Arrington Dixon
Geoffrey Griffis

Ex Officio Members

Secretary of Defense
The Honorable James Mattis

Secretary of the Interior
The Honorable Ryan Zinke

Acting Administrator
General Services Administration
The Honorable Timothy Horne

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
The Honorable Ron Johnson

Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives
The Honorable Trey Gowdy

Mayor
District of Columbia
The Honorable Muriel Bowser

Chairman
Council of the District of Columbia
The Honorable Phil Mendelson

Executive Director
Marcel Acosta

IN REPLY REFER TO:
NCPC FILE NO. BZA 19600

NOV 07 2017

Board of Zoning Adjustment of the
District of Columbia
2nd Floor, Suite 210
441 4th Street, NW
Washington, D.C. 20001

Members of the Board of Zoning Adjustment:

Pursuant to delegations of authority adopted by the Commission on August 6, 1999, I found that a special exception to allow a fast food establishment at 2230 Wisconsin Avenue NW (Square 1300, Lot 815) in the Naval Observatory use zones would not be inconsistent with the Federal Elements of the Comprehensive Plan for the National Capital or the Naval Support Facility Naval Observatory Master Plan, nor would it have an adverse effect on the operations of the mission of the US Naval Observatory and the security needs of the Vice President's residence. A copy of the Delegated Action of the Executive Director is enclosed.

Implementation of the project may require review by local agencies, including the issuance of permits pursuant to regulations promulgated under the authority of federal environmental statutes.

Sincerely,

Marcel C. Acosta
Executive Director

Enclosure

cc: Eric Shaw, Director, DC Office of Planning
Frederick L. Hill, Chairperson, Board of Zoning Adjustment



Delegated Action of the Executive Director

PROJECT

Special Exception for a Fast Food Establishment in the Naval Observatory Mixed Use and Residential House Zones at Square 1300

2330 Wisconsin Avenue, NW
Washington, DC

REFERRED BY

District of Columbia Board of Zoning Adjustment

NCPC FILE NUMBER

BZA 19600

NCPC MAP FILE NUMBER

71.00(06.50)44626

ACTION TAKEN

Approval of Report to the Board of Zoning Adjustment of the District of Columbia

REVIEW AUTHORITY

Approval of Report to the Board of Zoning Adjustment of the District of Columbia

per 11 DCMR §§ 5203.1, 5203.3, and 1202.1

The District of Columbia Board of Zoning Adjustment (BZA) has referred application number 19600, a special exception to establish a fast food establishment in the Naval Observatory Mixed Use (MU-27) and Residential House (R-13) Zones at 2330 Wisconsin Avenue, NW (Square 1300, Lot 815). The application is being referred to NCPC pursuant to 11 DCMR §§ 5203.1, 5203.3, and 1202.1, which require the BZA to refer all applications for special exceptions within Naval Observatory use zones to NCPC for review and report. The Naval Observatory use zones exist for the purposes of promoting the public health, safety, and general welfare on land adjacent to or in close proximity to the highly sensitive and historically important United States Naval Observatory (USNO), in keeping with the goals and policies of the *Comprehensive Plan for the National Capital* and the master plan for the USNO. The Naval Observatory use zones are intended to provide additional controls on private land to protect recognized federal interests including the critical scientific mission of the USNO and the security needs of the Vice President's residence.

The proposal seeks to establish a fast food restaurant (Domino's Pizza) at 2330 Wisconsin Avenue NW, immediately to the west of the USNO in the Glover Park neighborhood. The fast food establishment would operate in an approximately 2,000 square-foot retail space in the single-story Calvert Center building, which includes an accessory 29-space parking lot that is shared by all tenants at the rear of the building. The new establishment would be located in a retail-heavy area, with numerous restaurants and bars, a grocery store, and a health club, all of which would be compatible with the proposed use. Several commercial uses abut the property to the north and east; a five-story condominium sits to the south; and two-story row dwellings are located to the west across 37th Street.

The proposal is not inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital*, nor the *Naval Support Facility Naval Observatory Master Plan*. The location of the proposed fast food establishment is within a well-established commercial corridor in an

existing retail building, and does not propose to expand the existing building or the rear parking lot. Further, representatives from the U.S. Navy and U.S. Secret Service have confirmed that they do not anticipate any impacts to the mission of the USNO, nor the security needs of the Vice President's residence.

Acknowledging the importance of dark night skies to the mission of the USNO, the District Elements of the *Comprehensive Plan for the National Capital* contains a policy in the Environmental Protection Element that states that regulations for outdoor lighting should be maintained that reduce light pollution and conserve energy, with particular attention to glare and nighttime light trespass in the vicinity of the USNO. Staff has confirmed through the District of Columbia Office of Planning (DCOP) that the proposal would only include a lit window sign located inside the restaurant and a standard security light facing the parking lot in the rear of the building. DCOP is recommending that all new lighting be low intensity and focus downward to minimize ambient light spill.

*

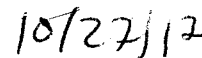
*

*

Pursuant to delegations of authority adopted by the Commission on October 3, 1996 and 11 DCRM 1533.3, I find that a special exception to allow a fast food establishment at 2230 Wisconsin Avenue NW (Square 1300, Lot 815) in the Naval Observatory use zones would not be inconsistent with the Federal Elements of the *Comprehensive Plan for the National Capital* or the *Naval Support Facility Naval Observatory Master Plan*, nor would it have an adverse effect on the operations of the mission of the U.S. Naval Observatory and the security needs of the Vice President's residence.



Marcel Acosta
Executive Director



Date