



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director
Development Review & Historic Preservation

DATE: July 12, 2009

SUBJECT: ZC #08-15 (Friendship Shopping Center, 3336 Wisconsin Avenue, NW
Consolidated PUD and Related Map Amendment
Square 1920, Lot 831; Square 1920-N, Lots 1 and 2

The applicant has proposed, as a condition of approval, that restaurant uses would be limited to 20% of the linear street frontage of the Planned Unit Development (PUD) area. The Zoning Commission requested the opinion of the Zoning Administrator (ZA) regarding the effect of this condition on the current MW Overlay's maximum 25% linear street frontage for restaurant uses, and specifically whether the applicant's 20% of linear street frontage would count against the maximum 25% of linear street frontage allowed under within the overlay area.

After reviewing Sections 1302.5 and 1308 in conjunction with the Zoning Administrator, it is OP's opinion that there is no existing guidance to address this issue. A measurement of the linear street frontage of the overlay to which Section 1302.5 applies was undertaken by the Office of the Zoning Administrator (ZA) and identified on the attached map. The measurements indicate that 24.97% of the linear street frontage is already occupied by restaurants, prior to the PUD approval, and therefore any additional restaurants would require special exception relief.

Total linear street frontage within Overlay	1,925.37 ft.	ZONING COMMISSION District of Columbia
Total linear street frontage within PUD area	1,383.78 ft.	
Difference between Overlay and PUD area	541.59 ft.	
Current restaurant linear street frontage within the Overlay	480.81 ft or 24.97%	CASE NO. 08-15 EXHIBIT NO. 274
Current restaurant linear street frontage outside the PUD area	395.70 ft.	
Percentage of restaurant linear street frontage outside PUD area	73% (395.70/541.59 x 100)	
PUD's 20% of linear street frontage	276.76 ft	
Existing restaurant linear street frontage outside PUD area	395.70 ft.	
Total	672.46 ft.	
Total Percentage	34.92% (672.46/1,925.37 x 100)	

It is OP's opinion that the intent and integrity of the overlay remains intact because the 34.92 % of total restaurant frontage noted above includes 20% reviewed by the ZC as part of the requested relief of the PUD, and any additional restaurants beyond the overlay/PUD total of 34.92% would require a special exception as anticipated by §1304.1. The ZA stated that he welcomes input and advice from the Zoning Commission on their interpretation in this case based both in terms of general practice and on the enclosed information.



