GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

Memorandum

TO: Board of Zoning Adjustments

FROM: Andrew Altman, Director
Office of Planning

DATE: September 25, 2000

SUBJECT: BZA Application #16538 (Capitol Hill Investors)
407 8th Street, S.E.

DISTRICT OF COLUMBIA
SEP 28 A9:55
BZA
Case No. 16538
Exhibit No. 31

APPLICATION

The application by Capitol Hill Investors requests, pursuant to 11 DCMR 3103.2, a variance from the provision of Section 774.1 that requires a 15-foot setback from the rear property line.

SITE AND AREA DESCRIPTION

The subject property, Lot 34 of Square 902, is located at 407 8th Street, S.E., south of the intersection of Pennsylvania Avenue, South Carolina Avenue, and the Eastern Market Metro Station. The site has a total area of 2,177 square feet and is currently undeveloped. A 6-foot egress easement runs along the northern portion of the property and contains an underground pipe that provides drainage for the properties to the rear of the subject site (Lots 32 and 33) (See Figure 1).

Development along 8th Street is predominantly two-story buildings with small businesses supplying retail and office services to the surrounding community. The surrounding community beyond the 8th Street corridor is predominantly row houses with scattered small, multiple unit housing and mid-rise apartments. Immediately surrounding the subject site to the north, are the *Payless Shoe and Last Stop for Jeans* stores, to the south is a *Popeye's* restaurant while to the east, across 8th Street, is a combination of retail stores, restaurants, and Fire Station #7. To the west, the subject site abuts a property that is currently under construction for a *Radio Shack* store.

HISTORY OF PROPERTY

Over 50 years ago, the building that currently houses the *Payless Shoe Store,* was an American Security Bank. The subject property (oriented to 8th Street) along with Lots 32 and 33 (oriented towards D Street) formed a "L" shaped parking lot to serve the bank. Since the closing of the

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bank, these properties have remained undeveloped. The three lots, 32, 33, and 34 (formerly 27, 28, and 826 respectively) were later re-subdivided resulting in the subject site as the smallest of the three lots. Lots 32 and 33, also owned by the applicant, are currently being developed.

PROPOSAL

The application proposes to build a two-story building of approximately 2,000 square feet of flex space for a retail use on the ground floor and office use on the upper floor. The applicant requests a variance from the requirement to provide a rear yard of 15 feet.

ZONING REQUIREMENTS

The subject site is zoned C-2-A. This zoning district allows a density of up to 1.5 FAR, a building height of up to 50 feet, and a rear yard of 15 feet.

ANALYSIS

Following the closing of the bank at the intersection of 8th and D Streets, the adjacent parking area has remained vacant. Construction of a 2-story building by the applicant on the two adjacent lots is currently underway, thus leaving only the subject property undeveloped.

The Federal Department of Transportation in conjunction with the Department of Public Works and the Barracks Row Business Alliance, Inc. is currently active in promoting the rejuvenation of 8th Street (Main Street Project). The project includes the improvement of 8th Street and landscaping on the adjacent sidewalks. In addition, monetary help is being offered to property owners for façade improvement. This Main Street Project is estimated to commence in Spring 2001. Development of this vacant property will advance the revitalization of this main street.

The subject site has an area of 1,550 square feet, but the developable area is reduced to 1,180 square feet due to the 6-foot easement along the northern boundary of the property. The area is further reduced to 895 square feet because of the requirement for a 15-foot rear yard. The rear yards of the adjacent Lots 32 and 33 abut the subject site and since the lots are in common ownership they can be utilized by uses on the subject site. Therefore, the need for a rear yard on the property is minimized and the rear yard that would usually be necessary for storage of trash can be accommodated in the rear yard of the adjacent lots. No on-site parking is required.

The subject site is within the Capitol Hill Historic District. The applicant has proposed a development façade that will be consistent and complementary to existing buildings stock along 8th Street and the wider historic district. The proposed building façade will be similar to that approved by the Historic Preservation Review Board (See Figure 2) for the proposed buildings on the D Street.

COMMUNITY COMMENTS

ANC 6B reviewed the application at its meeting on Tuesday, September 13, 2000 and recommended approval of the variance. The main concern of the ANC was accessibility to the

rear for trash pickup. To address this concern, they recommended that a condition be added to the approval which requires daily trash pick-up in the event there is a food service operation on the site.

The Zoning Committee of the Capitol Hill Restoration Society also reviewed the application and recommended approval of the variance based on the small size of the lot, the easement across the lot to serve adjoining lots, and that granting the variance will not adversely affect the Zoning Regulations or Zoning Map.

Support for the proposed development and variance was approved by the Barracks Road Business Alliance (BBA) Board on February 4, 2000. The BBA represents the interests of property owners and merchants doing business on 8th Street, between Pennsylvania and the Navy Yard. The BBA is involved in hiring private street cleaners, promoting landscaping and actively promoting the rejuvenation of 8th Street. The BBA feel that due to the configuration, the cost of construction, and lack of demand for such a small space it is unlikely that the property will be developed if the variance is not granted to give allow them the additional developable area.

SUMMARY

The infill development on the property along 8th Street will be an asset towards improving the image of this corridor. This problem of dumping of trash on the site will be eliminated and the property will be able to contribute productively to the community. The burden imposed on the site by its small size, the easement across the site, and the required rear yard setback could limit the potential for development. The impact of eliminating the rear yard on the subject site will be minimized, as the property will be able to utilize the rear yard of the adjacent lots due to the common ownership of the lots. Therefore, it is the view of the Office of Planning approval of the variances will not cause any "substantial detriment to the public good" and "will not substantially impair the intent, purpose, and integrity" of the Zoning Regulations or Map. Additionally, the project is strongly supported by the ANC, the Capitol Hill Restoration Society, and the Barracks Road Business Alliance Board.

RECOMMENDATION

Based on the fact that this is the only vacant lot along this portion of 8th Street, the small size of the lot, the reduced rear yard abuts other commercial structures, and will not cause any harm to the public good, the Office of Planning recommends that the Board of Zoning Adjustment **APPROVE** the variance requested with the condition that daily trash pick-up be provided in the event there is a food service operation on the site.

AA/mbr

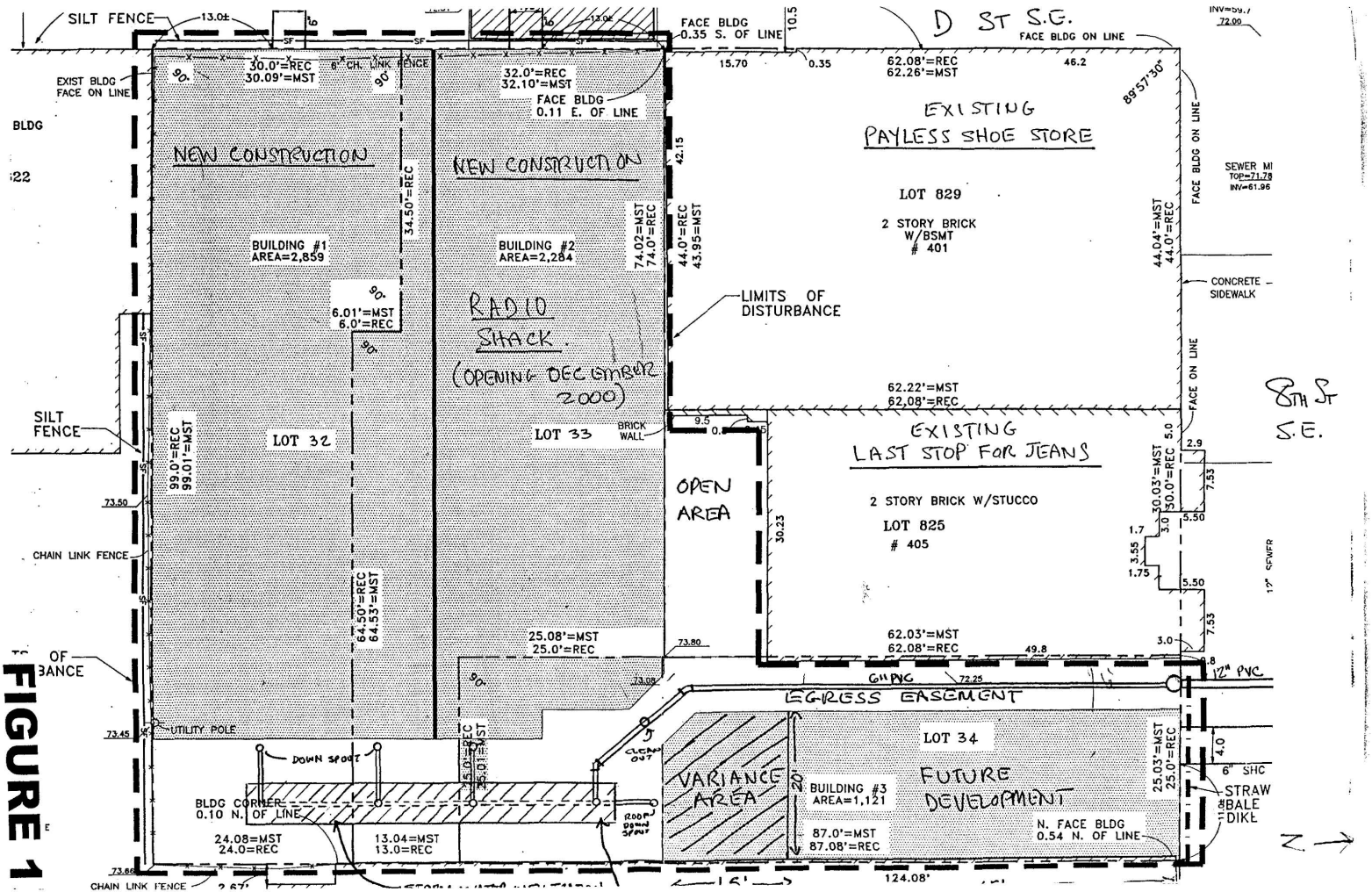

SILT FENCE
13.0±
30.0'=REC
30.09'=MST
6' CH. LINK FENCE
EXIST BLDG FACE ON LINE
BLDG
22
NEW CONSTRUCTION
BUILDING #1 AREA=2,859
34.50'=REC
32.0'=REC
32.10'=MST
FACE BLDG 0.11 E. OF LINE
NEW CONSTRUCTION
BUILDING #2 AREA=2,284
74.02'=MST
74.0'=REC
44.0'=REC
43.95'=MST
6.01'=MST
6.0'=REC
RADIO SHACK (OPENING DECEMBER 2000)
LOT 32
LOT 33
BRICK WALL
SILT FENCE
99.0'=REC
99.01'=MST
73.50
CHAIN LINK FENCE
64.50'=REC
64.53'=MST
25.08'=MST
25.0'=REC
73.80
73.08
OF BANCE
73.45
UTILITY POLE
DOWN SPOUT
BLDG CORNER 0.10 N. OF LINE
24.08=MST
24.0=REC
13.04=MST
13.0=REC
73.66
CHAIN LINK FENCE
FACE BLDG 0.35 S. OF LINE
10.5
15.70
0.35
D ST S.G.
FACE BLDG ON LINE
62.08'=REC
62.26'=MST
46.2
89°57'30"
EXISTING PAYLESS SHOE STORE
LOT 829
2 STORY BRICK W/BSMT
401
44.04'=MST
44.0'=REC
FACE BLDG ON LINE
SEWER MH TOP=71.78 INV=61.96
CONCRETE SIDEWALK
LIMITS OF DISTURBANCE
62.22'=MST
62.08'=REC
FACE ON LINE
8TH ST S.E.
EXISTING LAST STOP FOR JEANS
2 STORY BRICK W/STUCCO
LOT 825
405
OPEN AREA
9.5
0.15
5.0
2.9
30.03'=MST
30.0'=REC
7.53
5.50
30.23
1.7
3.0
3.55
1.75
5.50
7.53
62.03'=MST
62.08'=REC
49.8
3.0
0.8
12" PVC
6"PVC
72.25
EGRESS EASEMENT
LOT 34
FUTURE DEVELOPMENT
VARIANCE AREA
20'
BUILDING #3 AREA=1,121
87.0'=MST
87.08'=REC
25.03'=MST
25.0'=REC
4.0
6" SHC
STRAW BALE DIKE
N. FACE BLDG 0.54 N. OF LINE
16'
124.08'
N

FIGURE 1

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FIGURE 2