GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

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MEMORANDUM

DATE: February 15, 2002

TO: District of Columbia
Board of Zoning Adjustment

THROUGH: Andrew Altman, Director OP
Ellen McCarthy, Deputy Director OP

FROM: David J. McGettigan, AICP

SUBJECT: BZA Case No. 16840
Athena Wisconsin, LLC – 2233 Wisconsin Avenue, NW
Square 1299 Lot 1006

Summary

The applicant, Athena Wisconsin, LLC, the owner of 2233 Wisconsin Avenue, NW, seeks approval of a special exception to permit a motorcycle sales facility in accordance with DCMR Title 11, §727.1. The proposed use will occupy vacant ground floor retail space in an existing office building. No facilities for motorcycle maintenance or repair are proposed on the subject site.

Recommended Action:
The Office of Planning recommends that the Board approve the special exception for a motorcycle sales facility based on the following conditions:

1) The property will not be used as a motorcycle repair facility
2) The applicant will sell motor scooters and related retail accessories.

BZA
Case No. 16840
Exhibit No. 24

Board of Zoning Adjustment
District of Columbia
CASE NO.16840
EXHIBIT NO.24

Background

The subject property is located at 2233 Wisconsin Ave., NW (Square 1299, Lot 1006) at its intersection with Hall Place, NW (See Attachment 1). The area is part of the Naval Observatory Precinct Overlay District and the Community Business Center District (C-2-A). The uses in the immediate proximity of the subject property are predominately commercial retail and office uses along the Wisconsin Avenue, NW corridor. The site is adjacent to the Naval Observatory. The existing structure is currently used as an office building with some ground floor retail space.

The building fronts directly on Wisconsin Avenue with parking provided in the rear. Loading facilities are also located in the rear and both parking and loading are accessed through an alley running along the north side of the building.

Project Description

The applicant's proposes to use a portion of the first floor for a retail sales boutique showroom for motor scooters and accessories. The use will occupy approximately 1200 square feet of floor space in an existing vacant retail space. In addition to the sale of Vespa motor scooters, the applicant will sell clothing, novelty items, safety gear and equipment. Test-driving of the motor scooters will take place in the parking lot behind the building. No servicing or repair will be performed on the subject property.

Comprehensive Plan

The Comprehensive Plan sets goals of maintaining viable commercial areas. The subject property is designated low density commercial, which includes shopping and service areas that are generally low in scale, character, and activity, and that provide a limited or specialized range of retail goods and services as the predominant uses.

Zoning Analysis

The subject property is in a NO/C-2-A zone. The Naval Observatory Precinct Overlay District (NO) has the following purposes:

1531.1 The Naval Observatory Precinct District (NOPD) is established to promote the public health, safety, and general welfare on land adjacent to or in close proximity to the highly sensitive and historically important Naval Observatory, in keeping with the goals and policies of the Federal and District elements of the Comprehensive Plan for the National Capital and the adopted Master Plan for that facility.

1531.2 Public land within the NOPD shall be used in a manner consistent with the historic or ceremonial importance and special missions of the Federal facility.

1531.3 The land use controls embodied in this title for land adjacent to the Observatory reflect the importance of the Observatory to the District of Columbia and the Nation.

1531.4 The NOPD is intended to provide additional controls on private land, in order to protect recognized Federal interest concerns. The concerns include the critical scientific mission performed at the Observatory, and the security needs of the Vice-President's residence.

1531.5 The NOPD shall act to further restrict the development controls now permitted in existing districts to reduce or eliminate any possible harm or restrictions on the mission of the Federal establishment within the NOPD.

The application has been referred to NCPC for evaluation to determine if the development meets the applicable purposes of the Overlay district. The Commission will consider the matter at a meeting March 7, 2002. The proposed addition is permitted under §727.1 with a special exception granted by the BZA in accordance with §3104.1. No exterior improvements are proposed that would trigger review the area requirements of the C-2A zone.

Special Exception Tests

In accordance with 3104.1 the Board must determine if the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps. As discussed above the proposed use will occupy an existing vacant retail space. Based on the scope and purpose of the proposed use the proposal will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. Additionally, the development will not affect adversely the use of neighboring property.

In addition, by reference in §3104.2 the conditions of §727 must be met. The first condition in §727.3 requires that the use and all its accessory facilities be located within a building. The proposed use will occupy 1200 square feet of existing ground floor retail space. The second condition in §727.4 requires that no portion of a building used for motorcycle sales and repair shall be located within fifty feet of a Residence or Special Purpose District. The existing property meets this condition.

ANC Recommendation

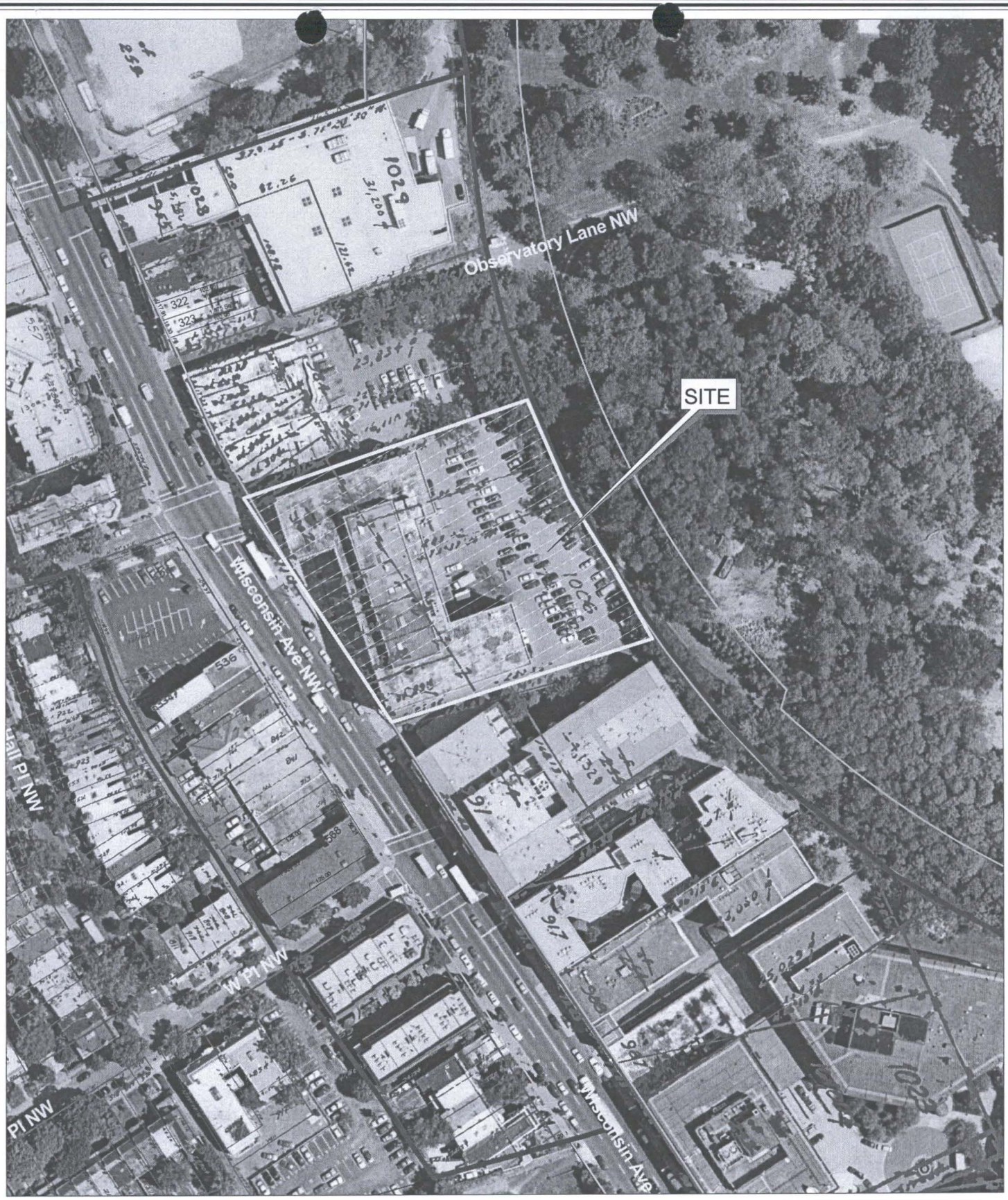
The ANC3B does not oppose approval of this application.

Recommendation

The Office of Planning recommends that the Board approve the special exception for a motorcycle sales facility based on the following conditions:

1) The property will not be used as a motorcycle repair facility
2) The applicant will sell motor scooters and related retail accessories.

Attachment



Feature Key

Zoning Boundaries
Square Index

Board of Zoning Adjustment
Application No. #16840

Scale 1:1544

N

25 0 25 Feet

DC Office of Planning
February 5, 2002

Attachment 1