GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

★ ★ ★

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: HS for Andrew Altman, Director
Office of Planning

DATE: February 10, 2004

SUBJECT: BZA Case No. 17095
Bekir Gunes – Special Exception

APPLICATION

The applicant Sun Services Inc., requests a special exception (pursuant to 11 DCMR 3104.1) to allow the use of the property at 1701 Kalorama Road, N.W., for valet parking as outlined in Section 1403.2 of the Zoning Regulations.

RECOMMENDATION IN BRIEF

The Office of Planning cannot recommend approval of the requested special exception, due to adverse noise and traffic impacts on the neighborhood.

SITE AND AREA DESCRIPTION

The subject property is in the Adams Morgan Neighborhood of Ward 1, located at 1701 Kalorama Road, N.W., (Square 2566, Lot 90). The site is bounded by Euclid Street to the north, Kalorama Road to the south, 17th Street to the east and Ontario Road to the west. The subject property is on the west side of the intersection of 17th & Kalorama Road, N.W. To the rear of the property is a 15-foot wide north south alley, which does not extend the entire length of the rear of the subject property. An east-west alley begins at 17th Street between the subject property and another residential structure, on the north side of the alley with both alleys connecting at the northeast intersection of the rear of the subject property. The subject property is within the RC/C-2-B District.

BZA
Case No. 17095
Exhibit No. 25

Board of Zoning Adjustment
District of Columbia
CASE NO. 17095
EXHIBIT NO. 25

BACKGROUND

The property is developed as a three-story structure with basement, which was constructed in 1934 for warehouse uses. In 2002, the owner applied for a special exception to add two additional floors to the structure for residential use. The Board denied that application. The current applicant (Bekir Gunes, Sun Service Inc.) has operated a valet parking business at the site since receiving a temporary permit in 2001. OP has no information as to the date of expiration of the permit.

PROPOSAL

The applicant proposes to use the first floor/basement of subject building as a valet parking garage. Employees of Sun Service Inc., will park vehicles from patrons of 6 restaurants in Adams Morgan, which have contracts with Sun Service Inc. The garage will operate evenings only, between the hours of 6:00 p.m. and 3:00 a.m.

ZONING ANALYSIS

The subject property is in the RC/C-2-B District

720 COMMUNITY BUSINESS CENTER DISTRICTS (C-2)

720.6 through **720.8** describes the District as follows:
The C-2-B District is designated to serve commercial and residential functions similar to the C-2-A District, but with high-density residential and mixed uses. The Districts shall be compact and located on arterial streets, in uptown centers, and at rapid rail stops and building uses may be entirely residential or a mixture of commercial and residential uses.

The subject property is also within the Reed Cooke Overlay District, the purposes of which are prescribed by Section **1400.2** as follows:

The purpose of the Reed Cooke Overlay District shall be to (Section 1400.2):

- **(a) Implement the objectives of the Reed Cooke Special Treatment Area, which are to:**
  - **(1) Protect current housing in the area and provide for the development of new housing;**
  - **(2) Maintain heights and densities at appropriate levels; and**
  - **(3) Encourage small-scale business development that will not adversely affect the residential community.**
- **(b) Ensure that new nonresidential uses serve the local community by providing retail goods, personal services, and other activities that contribute to the satisfaction of unmet social, and employment needs in the Reed-Cooke and Adams-Morgan community.**

Traffic congestion is a major problem in Adams Morgan, especially in the commercial areas. Visitors to the area constantly search for parking spaces, and circle throughout residential neighborhoods in search of parking spaces. The valet parking garage will serve the community by reducing the number of vehicles competing for parking spaces in the residential community, however the restaurants they serve are not in the immediate neighborhood.

(c) Protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetes impacts.

The proposed parking garage will help alleviate parking congestion along neighborhood streets by accommodating parking for customers ofthe commercial areas of Adams Morgan.

1403 SPECIAL EXCEPTION

1403.1 An exception from the requirements of this chapter shall be permitted only if granted by the Board of Zoning Adjustment as a special exception pursuant to § 3104 after a public hearing, and subject to the following criteria:

(a) The use, building, or feature at the size, intensity, and location proposed will substantially advance the stated purpose of the RC Overlay District.

1400.2, (c) seeks to protect adjacent and nearby residences from damaging traffic, parking, environmental, social, and aesthetes impacts. Restaurants are heavily concentrated along the commercial corridors of Adams Morgan. Traffic congestion and a lack of parking are major issues in the area. While a 350-space parking garage (Lofts at Adams Morgan) recently opened on 18th Street, there is still extreme competition for parking spaces in the area.

The subject-parking garage will provide parking opportunities for the customers of 6 restaurants, including:
1) Cities Restaurant - 2436 18th Street NW
2) Meze Restaurant - 2437 18th Street
3) Shai Restaurant - 2477 18th Street
4) Meskerem Restaurant - 2434 18th Street
5) Anzu Restaurant - 2436 Street; and
6) Perry's Restaurant - 1811 Columbia Road

The owners of these restaurants have contracts with Sun Service Inc., to valet park vehicles of restaurant patrons in the garage. The availability of the garage will reduce traffic congestion in the commercial area, decrease the number of vehicles that park in the residential neighborhoods and reduce competition for public parking spaces.

(b) Vehicular access and egress shall be designed and located so as to minimize conflicts with pedestrian ways, to function efficiently, and to create no dangerous or otherwise objectionable conditions.

The entrance to the valet parking garage is located on Kalorama Road, with two large roll up doors, near the intersection with 17th Street. The pedestrian way in front of the garage is clearly defined, and provides an adequate view of ingress and egress points to the garage. Valet parkers can easily see pedestrians, when entering or leaving the garage with vehicles.

(c) Adequate off-street parking shall be provided for employees and for trucks and other service vehicles.

There is adequate parking available in the garage for approximately 10 employees of Sun Services Inc. There are no trucks or other services vehicles associated with Sun Service Inc.

(d) If located within a C-2-B District, the use shall not be within twenty-five feet (25 ft.) of a residence District, unless separated therefrom by a street or alley.

The subject-parking garage is located within a C-2-B District. The southwest corner of the building is separated from the adjoining residential building only by a wall. The adjoining area is in the R-5-B. There is no alley at the southwestern corner of the garage, which separates it from the residence District.

(e) Noise associated with the operation of a proposed use will not adversely affect adjacent or nearby residences.

The hours of operation of the garage are 6 P.M. to 3 A.M. Sun Service Inc. employs approximately 10 valet attendants to pick up and return vehicles to the contract restaurants. Residents have voiced concerns about the level of noise made by the attendants beyond 3 a.m., the volume of traffic generated at the garage and the hours the garage operates. OP believes these occurrences have an adverse impact on nearby residential properties.

(f) No outdoor storage of materials, nor outdoor processing, fabricating, or repair shall be permitted.

There is no outdoor storage of materials, nor outdoor processing, fabricating, or repair by the subject garage.

(g) The use, building, or feature at the size, intensity, and location proposed will not adversely affect adjacent and nearby property or be detrimental to the health, safety, convenience, or general welfare of persons living, working, or visiting the area.

While the proposed use would reduce traffic congestion in the Adams Morgan area by decreasing the competition for on-street parking between residential and commercial users, OP recognizes the concerns expressed by residents with respect to the safety, convenience, and general welfare of persons living in the area including the generation of excessive noise late at night, and speeding by parking attendants while vehicles are being parked or returned to owners.

1403.2 **A parking lot or garage shall be permitted if approved by the Board of Zoning Adjustment as a special exception pursuant to the following**:

(a) The parking lot or garage shall meet the conditions specified in §§ 214.4 through 214.8
The subject-parking garage does not meet the conditions specified in §§ 214.4 through 214.8.

(b) The parking lot or garage shall meet the conditions in § 1403.1.
(c) The Board may require that all or portion of the parking spaces be reserved for the following:
    (1) Residential parking;
    (2) Unrestricted commercial parking;
    (3) Accessory parking for uses within eight hundred feet (800 ft.); and
    (4) Shared parking for different uses by time of day.

214. ACCESSORY PARKING SPACES (R-1)

214.4 Accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they are accessory.

The subject-parking garage is not contiguous to or separated by an alley from the 6 restaurants to which they are accessory. Five of the restaurants are located on the 18th Street commercial corridor and one is on Columbia Road. (See attachment #1) The parking business does not meet the definition of "accessory use" as defined in Section 199. The parking business operates within a garage and is an independent commercial business that serves the restaurant, as opposed to a parking service owned by a restaurant.

214.5 All provisions of chapter 23 of this title regulating parking lots shall be complied with, except that the Board may in an appropriate case under § 2303.3 modify or waive the conditions specified in § 2303.2 where compliance would serve no useful purpose.

2301 Parking Garage

2301.3 A parking garage erected, converted, or reconstructed as a principal use shall have no vehicular entrance or exit nearer that forty feet (40 ft.) to a street intersection as measured from the intersection of the curb line extended. The entrance or exit to the garage shall be accessible and, when it open onto an alley, the entrance or exist shall be set back at least twelve feet (12 ft.) from the centerline of the alley.

The parking garage exists in the lower levels of the existing warehouse building. There is no construction or conversion of the space for use. The entrance to the garage is located less than forty feet from the intersection of 17th Street & Kalorma Road. Although there is an entrance or exit ramp at the rear of the garage, according to the applicant the ramp is not used to access the garage.

214.6 It shall be deemed economically impractical or unsafe to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

(a) Strip zoning or shallow zoning depth.

Parking cannot be provided at the location of these restaurants, since no space is available and the restaurants are not located in close proximity to any available parking lots. The commercial area immediately abuts the residential areas where parking is not readily available.

(b) Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot.

Each of the 6 restaurants that use the parking garage is in different ownership and is not on contiguous or adjoining lots.

(c) **Unusual topography grades, shape, size, or dimensions of the lot.**

It is economically impractical to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because the 6 restaurants with contracts to valet park their customer vehicles in the subject garage, are all on different lots. The lots are scattered along the Adams Morgan commercial districts. None of the lots are large enough to accommodate the principal use (restaurants) and parking spaces for customers. It is for this reason that the restaurants parking contractual agreements with Sun Service Inc.

(d) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets.

There is more than 200 feet between the locations of the 6 restaurants and the parking structure. There are no alleys linking the garage to the restaurants.

(e) **Traffic hazards caused by unusual street grades or other conditions.**

There is concern regarding narrow streets in the commercial areas, and the level of on-street parking permitted. Further, there is also concern that the 30 parking spaces available at the subject-parking garage are insufficient to accommodate customers of 6 restaurants.

214.7 Accessory parking spaces shall be located, and facilities in relation to the parking lot shall be so designed, that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions.

The spaces are located on the ground floor of a three-story building, and are accessible through 2 large roll up doors, located at the Kalorama Road entrance to the garage. Most of the nearby uses directly across Kalorama Road east of the garage are commercial, and the adjoining building to the south is also commercial. It is unlikely that businesses will find the valet parking garage objectionable. However, there are residential units to the north and west of the garage where residents are concerned about noise from the garage, the volume of traffic using the facility and the late hours that the garage operates. In order to get from the restaurants to the garage, the cars must be driven through residential streets.

DOES THE APPLICATION MEET THE SPECIAL EXCEPTION TEST?

Will the special exception be in harmony with the general purpose and intent of the Zoning Regulations and Maps?

The Office of Planning does not believe the requested special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Map. OP has concerns about the lack of direct access between the 6 restaurants with valet parking agreements with Sun Service Inc. As a result, parking attendants drive through residential communities to reach the parking.

OP recognizes that there is a balancing of objectives required in this case; Adams-Morgan is a great restaurant destination with high parking needs. The Reed Cooke Overlay is intended to protect existing neighborhoods. As such, certain uses, which would be permitted as a matter-of-right in the underlying base zone were determined to need special exception review in the overlay area. Such is the case for parking lots and garages. The special exception standards

recognize the close proximity of commercial and residential uses and the narrowness of streets. The proposed use has not met the requirement of a special exception, namely separation of uses, noise and traffic.

Will the special exception tend to adversely affect the use of neighboring property accordance with the Zoning Regulations and Maps?

Based on the criterion of Section 1403, the requested special exception will adversely affect the use of neighboring property due to increased traffic (**1400.2 (c)**), late night noise (**1403.1 (e)**), insufficient separation of uses (**1403.1 (d)**) and Sections 214.4 and 214.7.

COMMUNITY COMMENTS

The applicant's proposal was presented to Advisory Neighborhood Commission (ANC) 1C at its December 4, 2003 monthly meeting. ANC 1C adopted a Resolution in support of Sun Service Inc. Application for a special exception for a parking garage.

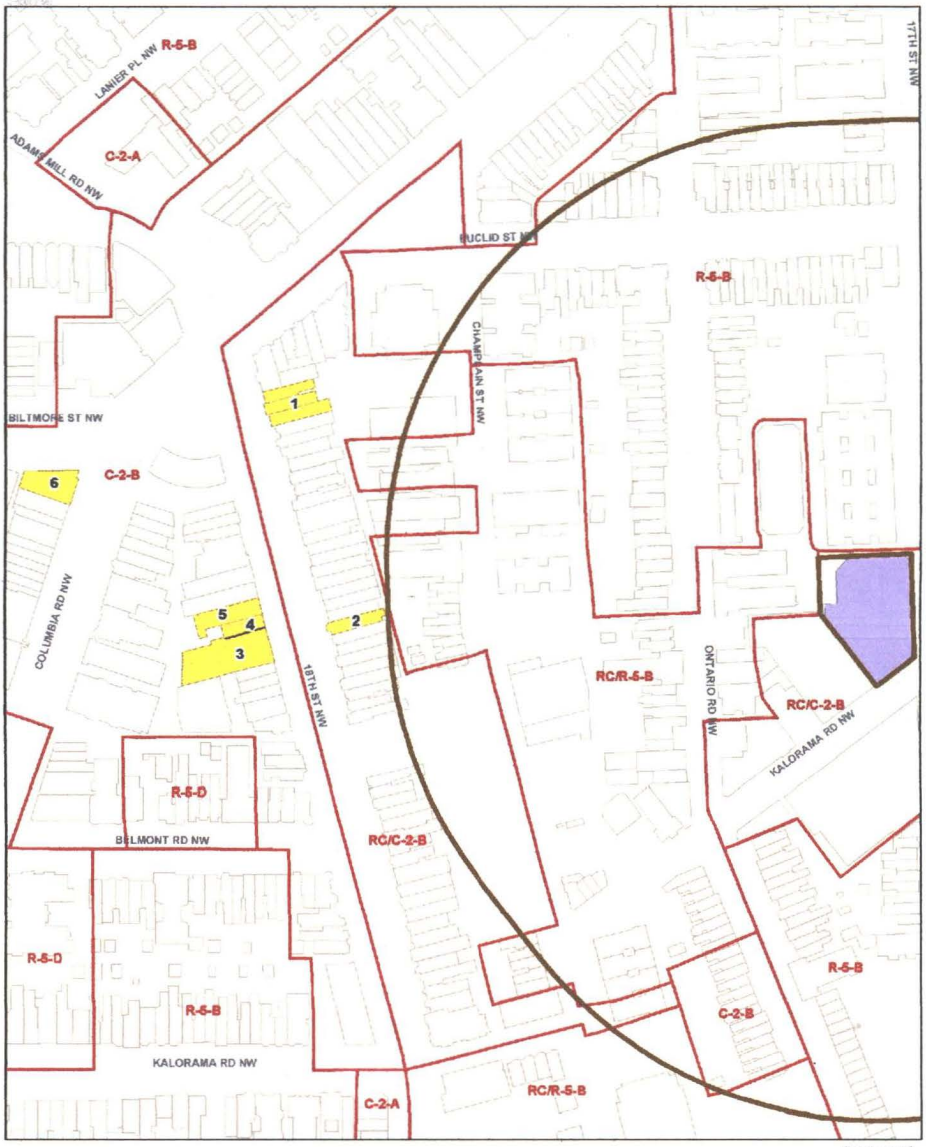
The Reed-Cooke Citizen Association voted to oppose the application.

- Residents have complained about the level of noise generated by attendants and cars leaving or entering the garage, particularly after 3 a.m.
- Attendants, while driving vehicles to and from the parking garage, sometimes drive at excessive, dangerous speeds.
- There is concern that the actual volumes of vehicles that are regularly parked in the garage far exceed the applicant's request for 30 spaces.
- There is concern about the constant movement of vehicles between the garage and the contracted restaurants. It was the community's expectation that the garage would provide daily parking, and not be subject to hourly parking.

While the parking garage will also advance some of the purposes of the Reed-Cooke Overlay District, residents have expressed to OP that the community was of the understanding that the temporary permit for the subject parking garage would expire when the Lofts at Adams Morgan was completed.

OP RECOMMENDATION

After reviewing special exception request to operate a valet parking garage in the RC/C-2-B District, the Office of Planning recommends that the Board **deny** the application. The Office of Planning finds that the applicant has not satisfactorily met all the requirements specified in Sections 3104.1,1403.1, and 2301. If the Board decides to approve the application, OP recommends that approval be for a period of two (2) years.



Attachment 1

BZA Application 17095
Valet Parking Garage
1701 Kalorama Road, N.W.

N
Feet
0 100 200

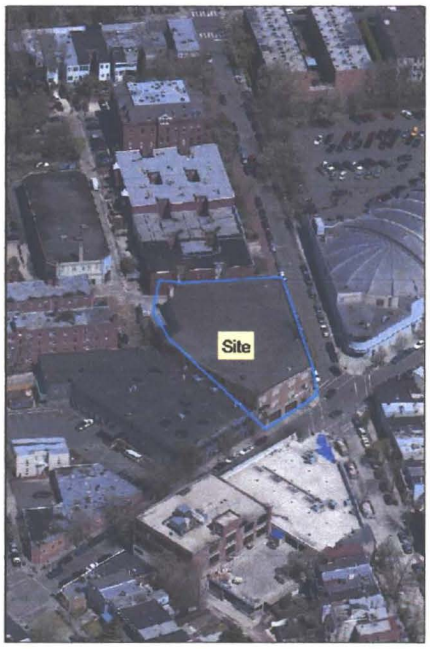
Government of the District of Columbia
Anthony A. Williams, Mayor

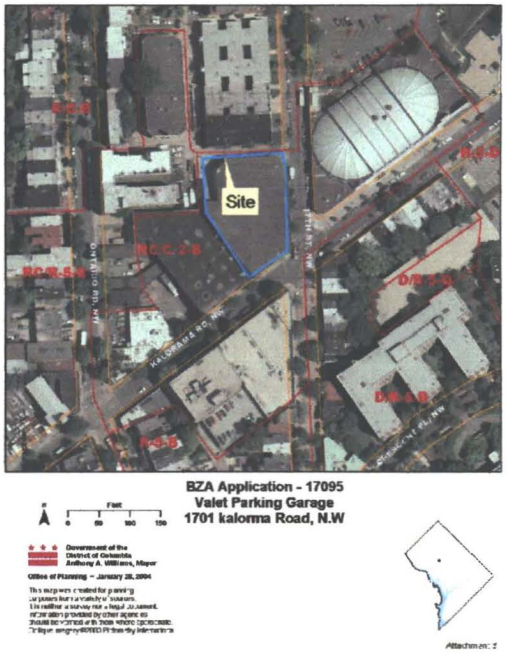
Office of Planning – January 29, 2004

This map was created for planning purposes from a variety of sources. It is neither a survey nor a legal document. Information provided by other agencies should be verified with them where appropriate.

Zoning Districts
Contract Restaurants
Valet Parking Garage
200 Foot Radius

1 - Shai - 2477 18th Street, N.W.
2 - Meze - 2437 18th Street, N.W.
3 - Cities - 2424 18th Street, N.W.
4 - Meskerem 2434 18th Street, N.W.
5 - Anzu 2436 18th Street, N.W.
6 - Perry's 1811 Columbia Road, N.W.





BZA Application - 17095
Valet Parking Garage
1701 kaloma Road, N.W

Feet
0 50 100 150

Government of the
District of Columbia
Anthony A. Williams, Mayor

Office of Planning – January 28, 2004

Attachment: 1