GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Ellen McCarthy, Interim Director

DATE: February 1, 2005

SUBJECT: BZA Case No. 17281

The application by Power Fuel & Transportation LLC, pursuant to 11 DCMR 3104.1, requests to establish a gasoline service station use in the C-3-A District.

RECOMMENDATION IN BRIEF
The Office of Planning is unable to make a recommends at the time of filing this report. OP has requested a site plan and information from the applicant regarding parking, circulation, landscaping, signage and lighting.

SITE AND AREA DESCRIPTION
The subject property is in the southwestern quadrant of the District of Columbia, near the intersection of South Capitol Street and Livingston Road. The site is bounded by Oxon Run Park to the north and west, Southern Avenue to the south, and South Capitol Street to the east. (See attached area photograph). There is a Rite Aid store on the subject square, north of the subject property. There is an existing convenience store on the subject property and a branch of Bank of America on the lot adjacent to the subject lot. (See attached Comprehensive Plan Map). The subject property has been used as a gasoline service station before the adoption of the 1958 Zoning Regulations, although there has been a variety of other uses, including used car sales, record store, retail bread store, and a restaurant.

The subject site is located in the southwestern portion of Ward 8. A majority of the area surrounding the site is parkland.

The Comprehensive Plan Generalized Land Use Map depicts the subject area as Moderate Density Commercial. There is parkland to the north, south and west of the site, while the area to the east (both sides of South Capitol Street at Southern Avenue, the southern-tip of the District of Columbia) is commercial in character.

BZA
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Exhibit No. 27

Board of Zoning Adjustment
District of Columbia
CASE NO. 17281
EXHIBIT NO. 27

Patricia R. Harris Elementary School is diagonally across South Capitol Street, northeast of the subject site.

PROPOSAL
The applicant proposes to establish a gasoline station use on the subject site with the existing convenience store as an accessory use.

ZONING ANALYSIS

The subject site is in the C-3-A district that is designated to accommodate major business and employment centers supplementary to the Central Business. The C-3-A District permits medium density development, with a density incentive for residential development within the general pattern of mixed-use development. (See attached Zoning and Land Use Map)

743 SPECIAL EXCEPTIONS C-3

The applicant is seeking a special exception under Section 743.1 of the Zoning Regulations, to reestablish a gasoline service station on the subject site. Although there have been other uses on the site, a gasoline station use was established before the adoption of the current Zoning Regulations.

There is an existing one-story building on the property that contains a convenience store. The proposed gasoline service station operation will be operated from the same building. The gas station will consist of six (6) pumps on 4' x 10' fueling islands. The fueling area will be under a 50' x 80' canopy. The main entrance to the site is from South Capitol Street, which is on the east side of the site. The nearest fueling island to the main entrance is approximately 35 feet to the west There will be an asphalt surface under the fueling area and a two-lane asphalt drive at the southern end of the lot that will provide egress and ingress to the fueling area, as well as the convenience store. The location of the southern driving lanes, (which provide access to the intersection at South Capitol Street & Southern Avenue) are intended to encourage customers use especially when existing the site.

The convenience store on the subject property will become an accessory use to the proposed gasoline service station if the Board approves the proposed application. The cash registers for both uses will share the same physical space in the existing building. Convenience stores are permitted in the base C-1 District, but it will (in this case) constitute an enlargement to the proposed gasoline service station.

OP requested the applicant modify the application to reflect the convenient store as part of the project.

743.1 A gasoline service station established or enlarged after December 20, 1985, a repair garage in any C-3 District, or a mechanical parking garage in C-3-A and C-3-B Districts, shall be permitted as a special exception in a C-3 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of § 706 and chapter 23 of this title.

706 GASOLINE SERVICE STATION C-1

706.1 A gasoline service station established or enlarged after May 12, 1958, shall be permitted as a special exception in a C1 District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of character 23 of this title and the provisions of this section.

706.3 The station shall not be located within twenty-five (25 ft.) of a Residence District unless separated from the Residence District by a street or alley.

The proposed gasoline service station will not be located within twenty-five (25 ft.) of a Residence District. The nearest residence district to the proposed gasoline service station is the triangular shaped area between Livingston Road, Atlantic Street and Barnaby Street. Most of this area is in the R-5 A District and consists of a mixture of garden apartments, single family detached and row dwellings. There is another residential area near the site of the proposed gasoline service station, is on Southern Avenue, (800 Southern Avenue) approximately five blocks to the east of the subject site. This area is in the R-5-D District and contains a high-rise apartment building.

706.4 The operation of the use shall not create dangerous or objectionable traffic conditions.

The subject property, which has a land area of 23,427 square feet, is large enough to accommodate the level of vehicular traffic the site is anticipated to handle, without affecting the traffic flow on adjacent South Capitol Street. The main entrance to the site is from South Capitol Street, which is on the east side. The nearest fueling island to the main entrance is approximately 35 feet to the west. There will be an asphalt surface under the fueling area and a two-lane asphalt drive at the southern end of the lot that will provide egress and ingress to the fueling area, as well as the convenience store. There will be dedicated driving lanes behind the Bank of America lot that will connect with the intersection at South Capitol Street and Southern Avenue. Customers will be encouraged to use the lane especially when existing the site.

According to the applicant, there will be 12 regulation parking spaces for customer use on the subject lot. Four parking spaces will be on the north side of the existing building, adjacent to the Rite Aid store. Another four spaces will be on the east side, or South Capitol Street front of the building. There will also be four slanted spaces at the south entrance to the building. OP has not

been provided a site plan that delineates the location of the parking spaces, or on-site traffic movements plan

The application has been referred to the District Department of Transportation for review.

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706.5 The Board may impose requirements pertaining to design, appearance, screening or lighting, or other requirements it deem necessary to protect adjacent or nearby property.

OP has requested site and landscaping plans, which adequately demonstrates that appropriate measures are included in the development of a gas station on the site will be designed to protect nearby properties from negative impacts related to the proposed use. The applicant had not provided a detail site/landscaping plan, as of January 28, 2005.

706.6 Required parking spaces may be arranged so that all spaces may not be accessible at all times. All parking spaces provided under this subsection shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicle without moving any other vehicle onto public space.

In accordance with the Schedule of Requirement for Parking Spaces in the Zoning Regulations, Section 2101.1, the applicant is required to provide one parking space for each 300 feet of gross floor area, which equals seven (7) parking spaces. According to the applicant, there will be 12 parking spaces on the site. OP has not been provided a site plan that reflects the location of the proposed parking spaces.

Further analysis regarding the proposed 12 parking spaces has been referred to the Department of Transportation. DDOT will provide the Board its analysis and recommendation, under a separate cover.

2302 PUBLIC STORAGE GARAGES, REPAIR GARAGES, MECHANICAL PARKING GARAGES, AND GASOLINE SERVICE STATIONS

2302.1 A public storage garage, repair garage, mechanical parking garage, and gasoline service station established or enlarged in any district except in the C-M or M Districts shall be subject to the provisions of this section.

The proposed gasoline service station is in the C-3-A district.

2302.2 No portion of the structure or premises to be used for any of the uses listed in § 2302.1 shall be located within twenty-five feet (25 ft.) of a residence District unless separated from that Residence District by a street or alley.

NO portion of the premises is within 25 feet of a residence district. The nearest residence district to the proposed gasoline service station is on the south side of Livingston Road, approximately three blocks beyond the commercial district at South Capitol Street and Southern Avenue, S.E.

2302.3 No use listed in § 2301.1 shall have vehicular entrance or exit connected with a street at a point closer than twenty-five feet (25 ft.) of a Residence District existing at the time the use is established, unless separated from the Residence District by a street or alley.

The proposed gasoline service is not within twenty-five feet (25 ft.) of a residential district and there is no vehicular entrance closer than 25 feet to a residence district.

2302.4 No driveway of any entrance or exit to any use listed in § 2302.1 shall be closer than forty feet (40 ft.) to a street intersection as measured from the intersection of the curb lines extended.

The entrance and exits to the proposed gasoline service station are not within 40 feet of a street intersection as measured from the intersection of the curb lines extended. The nearest intersection is at South Capitol Street & Southern Avenue, which is over 100 feet away.

2302.5 Except in C-M or M Districts, all grease pits or hoists constructed or established as part of a use listed in § 2301.1 shall be within a building.

The proposed gasoline service station will be a "gas-and-go" operation. No other vehicular services will be provided at the site.

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?

Yes. The subject site has a long history of automobile related uses; including gas stations, used car sales/repair shop and a variety of retail services. The subject property is designated in the Medium-High Density land use category on the Generalized Land Use Map and accordingly, zoned C-3-A for medium density development. A gasoline service station is permitted by special exception in the C-3-A District, if approved by the Board. Therefore the proposed gasoline service station is consistent with the Generalized Land Use Map, the Zoning Regulations and the historic use of the site.

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

No. The new additions will not adverse affect the use of neighboring properties in accordance with the Zoning Regulations and Maps. Oxon Run Park, which is to the north, south and west of the site of the proposed gasoline service station, is on three sides of the subject property. The nearest residential area is on the east side of South Capitol Street, approximately three blocks from the subject property.

COMMUNITY COMMENTS

The application will be on the January 27, 2005 agenda of Advisory Neighborhood Commission 8D.

OP RECOMMENDATIONS

The applicant failed to provide site and landscape plan necessary for OP to evaluate the impact of the proposed gasoline service station. At this time, OP is unable to render a recommendation based on a lack of information. OP has requested that the plan show the following information:

- The dimensions and location of the twelve (12) parking spaces
- The location and type of lighting
- The location and type of signage
- Traffic movement/circulation plan for the property
- The type of trees, shrubs and any other planting to be used
- The location of the dumpster, and any other relevant information regarding the proposed gasoline service station.

EM/jm



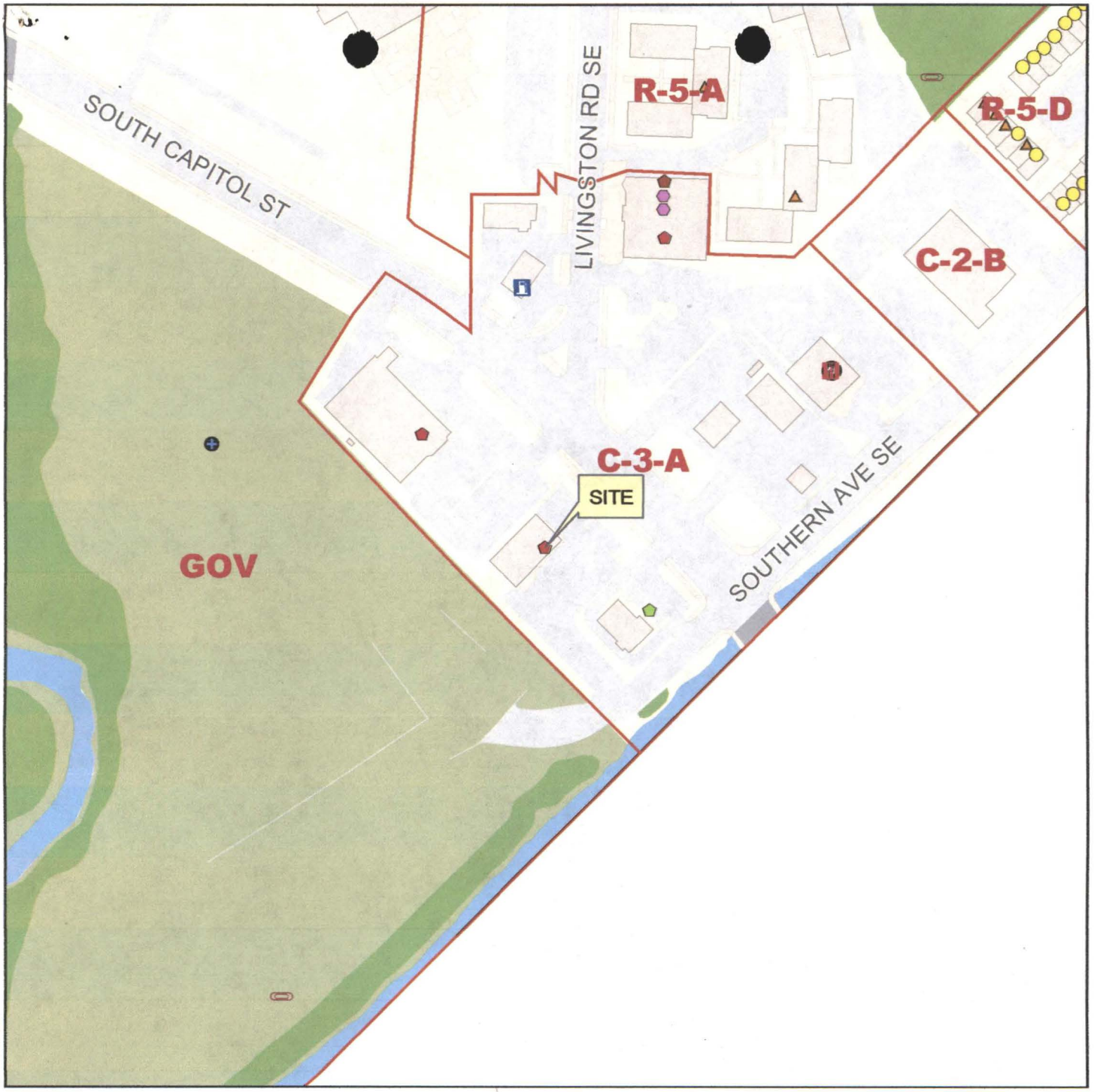
Feet
0 100 200 300

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

Office of Planning - January 6, 2005

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It is neither a survey nor a legal document.
Information provided by other agencies should be verified with them where appropriate.
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BZA Application - 17281
Gasoline Service Station
4665 South Capitol St. SW



OPID0004886

Zoning and Land Use Map
BZA Application #17281
4665 South capitol St., SW

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Land Use Legend

- Non-conforming SF Use
- Rowhouse
- Single-Family Detached
- Single-Family Semi-Detached
- Resid. Garage
- Resid. Mixed Use
- Multi-family
- Multi-Resid. Garage
- Hotel - Small
- Hotel - Large
- Club
- Resid. Transient
- Store
- Restaurant
- Office
- Vehicle Service Station
- Parking - Special Purpose
- Warehouse
- Religious
- Educational
- Embassy or Chancery
- Museum, Library, Gallery
- Recreational
- Health Care Facility
- Memorial
- Special Purpose
- Vacant



Attachment 1



Comprehensive Plan Map
BZA Application #17281
4665 South Capitol St., SW

N

Feet

0 500 1,000

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Generalized Land Use Key

- Residential Low Density
- Residential Moderate Density
- Residential Medium Density
- Residential High Density
- Water
- Commercial Low Density
- Commercial Moderate Density
- Commercial Medium Density
- Commercial Med.-high Density
- Commercial High Density
- Federal
- Institutional
- Local Public
- Parks, Recreation and Open Space
- Production and Technical Employment

Attachment 2