

# Government of the District of Columbia


## Department of Transportation



### d. Planning and Sustainability Division

#### MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Anna Chamberlin, AICP  
Associate Director 

**DATE:** March 19, 2021

**SUBJECT:** BZA Case No. 18238A – 413 8<sup>th</sup> Street SE

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#### APPLICATION

Eighth Street, LLC (the “Applicant”), pursuant to Title 11 (2016 Zoning Regulations) of the District of Columbia Municipal Regulations (DCMR), Subtitle X, Chapter 9, requests special exception from the use restrictions of subtitle U § 512.1(e) (1); pursuant to Subtitle Y § 704 to request a modification of significance to the conditions of BZA Order No. 18238 to extend the terms of the special exception granted on July 19, 2011, for an additional ten (10) years to allow a fast-food use in the first-floor retail unit of a commercial building. The site is located in the MU-25 Zone at 413 8<sup>th</sup> Street SE (Square 902, Lot 828), is not served by a public alley, and does not have a drive-through.

#### RECOMMENDATION

The District Department of Transportation (DDOT) has reviewed the application materials and has determined that the proposed action will not have adverse impacts on the District’s transportation network. DDOT has no objection to the approval of this application as the site has had a fast-food use for ten (10) years prior to this request, is a neighborhood serving business, and generates foot traffic along this commercial corridor.

#### PUBLIC SPACE

DDOT’s lack of objection to this application should not be viewed as an approval of the public realm design. If any portion of this or future projects at the property propose elements within District owned right-of-way, the Applicant is required to pursue a public space permit through DDOT’s permitting process.

DDOT expects the adjacent public realm to meet all District standards. The Applicant should refer to Titles 11, 12A, and 24 of the [DCMR](#), the most recent version of DDOT's [Design and Engineering Manual \(DEM\)](#), and the [Public Realm Design Manual](#) for public space regulations and design guidance. A permit application can be filed through the DDOT [Transportation Online Permitting System \(TOPS\)](#) website.

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