

Government of the District of Columbia

Department of Transportation



d. Planning and Sustainability Division

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: *MS*
Meredith Soniat
Acting Associate Director

DATE: April 15, 2025

SUBJECT: BZA Case No. 21254 – 1355-1359 H Street NE

APPLICATION

1355-1359, LLC (the “Applicant”), pursuant to Title 11 of the *District of Columbia Municipal Regulations (DCMR)*, requests the Board of Zoning Adjustment (BZA) grant the following relief:

- Special Exception from the rear yard requirements of Subtitle G § 207.1; and
- Special Exception under the eating and drinking establishment use requirements of Subtitle H § 6007.1(e)(2); and
- Special Exception under the fast food establishment use requirements of Subtitle U § 513.1(f).

The Applicant requests this relief to convert an existing mixed-use building to a food market with small retail spaces. The site is split between the NMU-4/HA and MU-4 Zones at 1359 H Street, NE, 1355 H Street, NE, 1355 Rear H Street, NE, 1357 H Street, NE, and 1361 Linden Court, NE (Square 1027, Lots 163, 139, 140, 144, and 136) and is served by 15-foot and 30-foot public alleys.

RECOMMENDATION

Per Subtitle G § 207.14(d), relief from rear yard requirements is subject to the condition that the Applicant provides adequately for service functions on site, including loading. As the site will be used as a multi-vendor food market, it will likely receive frequent deliveries. The site fronts on H Street NE, and as a result, deliveries to the front of the site may conflict with the H Street Streetcar and busy vehicle traffic. There is a 30-foot alley to the rear of the site where deliveries can occur with little disturbance to regular alley traffic.

In the Prehearing Statement, the Applicant acknowledged this concern and expressed their intent to conduct loading operations from the rear alley. As a result, DDOT does not expect any negative impact to the transportation network as a result of this relief. DDOT has no objection to the requested relief.

Board of Zoning Adjustment
District of Columbia

CASE NO.21254
EXHIBIT NO.58

STREETSCAPE AND PUBLIC REALM

DDOT's lack of objection to this application should not be viewed as an approval of the public realm. All elements of the project proposed within District-owned right-of-way or the building restriction area, such as any modifications to the existing bay window projections along H Street NE, require the Applicant to pursue a public space construction permit.

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](#), 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.

HERITAGE AND SPECIAL TREES

According to the District's [Tree Size Estimator map](#), the property has two (2) Special Trees. DDOT expects that the Applicant coordinate with the Ward 6 Arborist regarding the preservation and protection of existing Special and small street trees.

Special Trees are between 44 inches and 99.99 inches in circumference. Special Trees may be removed with a permit. However, if a Special Tree is designated to remain by UFD, a Tree Protection Plan (TPP) will be required.

MS:nh