

# BZA Application No. 21254

## Property Addresses:

**1359 H Street, NE, 1355 H Street, NE  
1355 Rear H Street, NE, 1357 H Street, NE  
& 1361 Linden Court, NE**

**April 30, 2025**

**Applicant:**  
1355-1359, LLC  
Ian Ruel  
Jonathan Askarinam  
Moe Pishvaeian

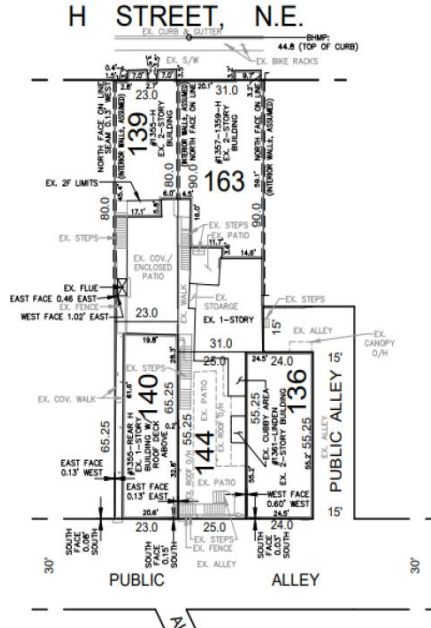
**Zoning Attorney**  
Sullivan & Barros, LLP  
Alexandra Wilson

**Project Architect**  
JJ Rivers

Board of Zoning Adjustment  
District of Columbia  
CASE NO.21254  
EXHIBIT NO.63

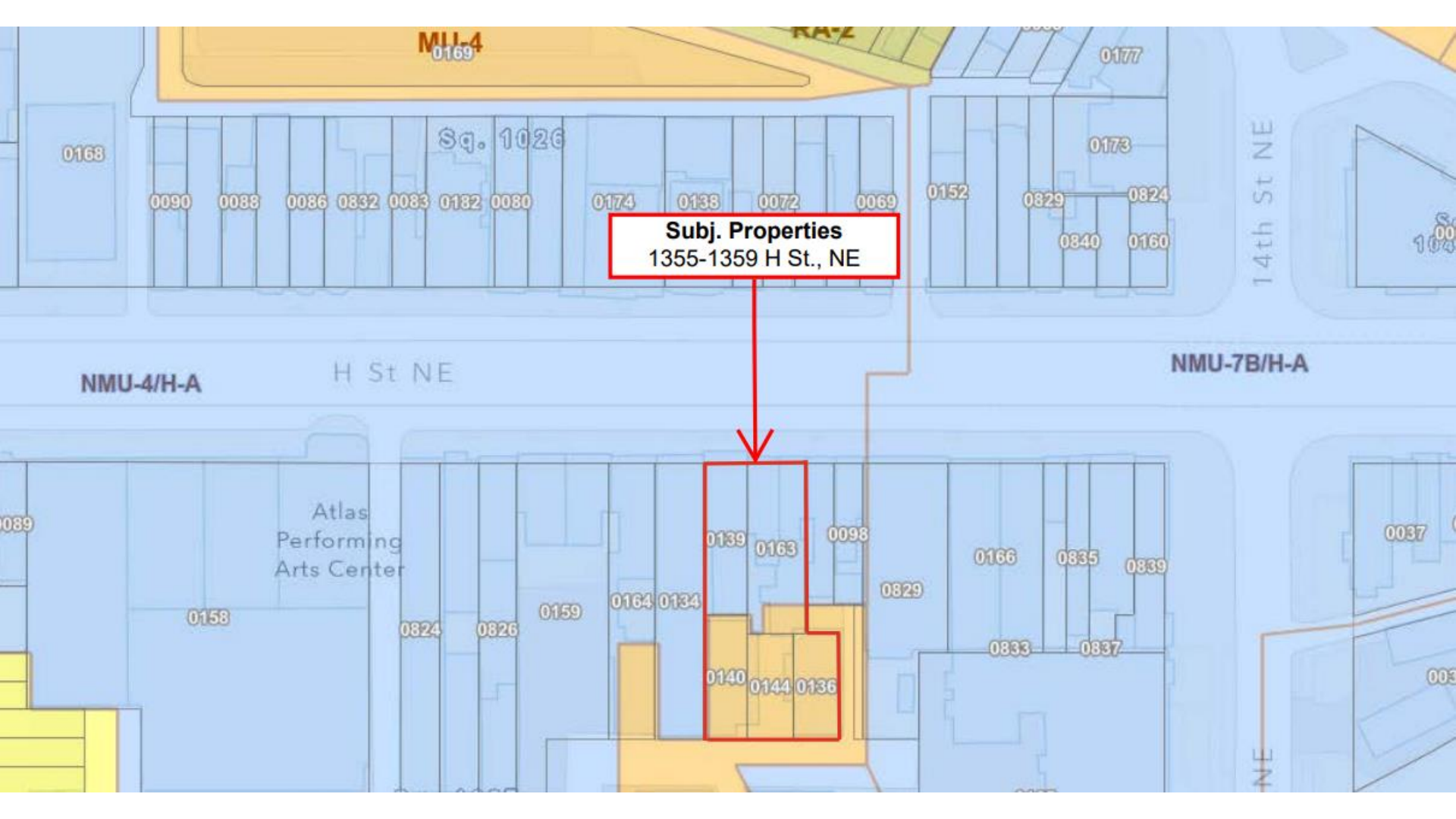
## Summary of Project

- The Properties are located in both the NMU-4/H-A and MU-4 zones.
- The Applicant proposes to consolidate the two street-facing lots (1355 and 1359 H Street) and three alley lots (Lot 140, 144, and 136) to create one single record lot.



## Community & Agency Support

- The Office of Planning recommends approval, and the Applicant agrees to the proposed condition regarding trash.
- DDOT has no objection.
- ANC 6A voted unanimously in support.
- CHRS supports the application.
- There are 26 letters of support in the record as of April 29<sup>th</sup>.



MU-4  
0169

RA-2

0177

0168

Sq. 1026

0173

0090 0088 0086 0832 0083 0182 0080

0174 0138 0072 0069

0152

0829

0824

0840

0160

**Subj. Properties**  
1355-1359 H St., NE

14th St NE

NMU-4/H-A

H St NE

NMU-7B/H-A

0089

Atlas  
Performing  
Arts Center

0158

0824

0826

0159

0164

0134

0139

0163

0098

0166

0835

0839

0037

0829

0833

0837

0140

0144

0136

003

## **Background: Site Characteristics**

### **Overview**

- The property consists of five lots totaling 8,837 sq. ft.:
  - Street-facing lots: 1355 and 1359 H Street (zoned primarily NMU-4/H-A, with a portion of 1359 zoned MU-4)
  - Alley lots: 1355 Rear H Street, 1357 H Street, and 1361 Linden Court (zoned MU-4)
- The lots were historically under common ownership and were most recently used for various retail, service and restaurant purposes. It appears there was some unrestricted access across a few if not all of the properties. While they remain under common ownership, the proposal seeks to formally consolidate them into a single record lot, primarily to comply with Building Code requirements (e.g., fire separation, utility connections, and openings across lot lines).

### **Zoning & Building Code Considerations**

- Zoning-wise, the lots are already treated as one structure due to long-standing common ownership and consistent use.
- Building Code compliance requires formal lot consolidation to allow for shared infrastructure (water/sewer, fire protection) and internal connectivity.
- The project will retain the existing façade (with minor adjustments) and involve selected demolition of non-structural walls, enclosing parts of the currently open first floor.

## Proposed Use

### Use

- The development is envisioned as a small urban commercial center, or mall, potentially featuring:
  - Coffee/bakery
  - A bar/restaurant
  - Smaller spaces (approx. 400 SF each) for local food vendors and retail businesses (some of which require fast-food use relief)
  - A 3,700 SF roof deck that will be used for outdoor seating for the plaza tenants, as well as events.
- All uses except the fast-casual stalls are by-right in the zoning district.

### Alcohol & Operations

- Each individual tenant seeking to serve alcohol must go through the ABRA licensing process, including review by the ANC (settlement agreement).
- Hours of operation will vary by use (e.g., fitness open at 6AM, cafes closing at 5 PM, bars opening at 5 PM).
- Multiple trash rooms; applicant agrees to trash condition proposed by the Office of Planning related to the fast-food uses. Daily trash pickups to occur.
- Loading will occur on the alley based on discussions with DDOT. Unusually large alley of 30 ft. in width.



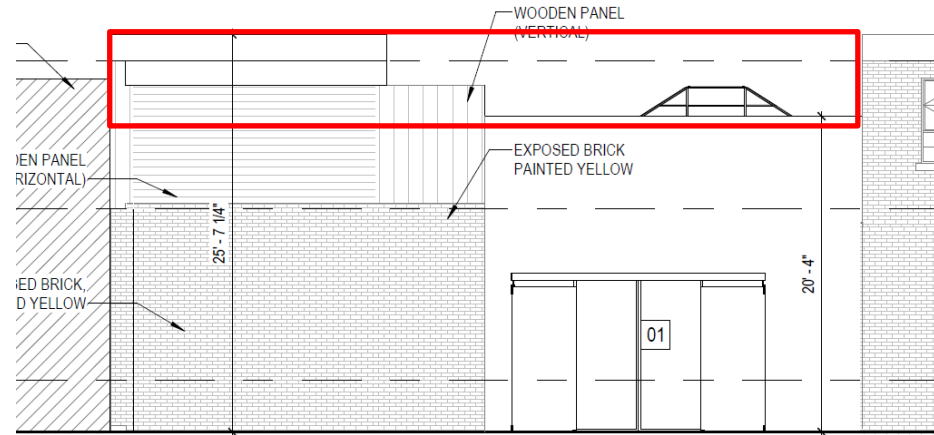
## Special Exception Relief: Rear Yard and “Fast-Food”

### Special Exception for Rear Yard- for the upper portion at the rear.

There is currently no rear yard. The proposal is not to expand the building closer to the alley. Rear yard is measured from the centerline of the 30 ft. alley for the first 20 feet in height, requiring zero setback from the property line for the first 20 feet. Anything above that requires rear yard relief when the lots are combined (alley lots become rear facing through combination). Additionally, the Applicant plans to raise a portion of the rear wall, increasing the non-conformity beyond the 20-foot height measured from the alley shown in red. (Reviewed under G-207.14.).

### “Fast Casual” is “Fast Food”--only allowed by special exception.

MU-4 and NMU-4/H-A zones have different use sections, seeking relief under the respective sections for each zone (U-513.1(e) and H-600.7.1(e)(2)) which have identical requirements for relief.

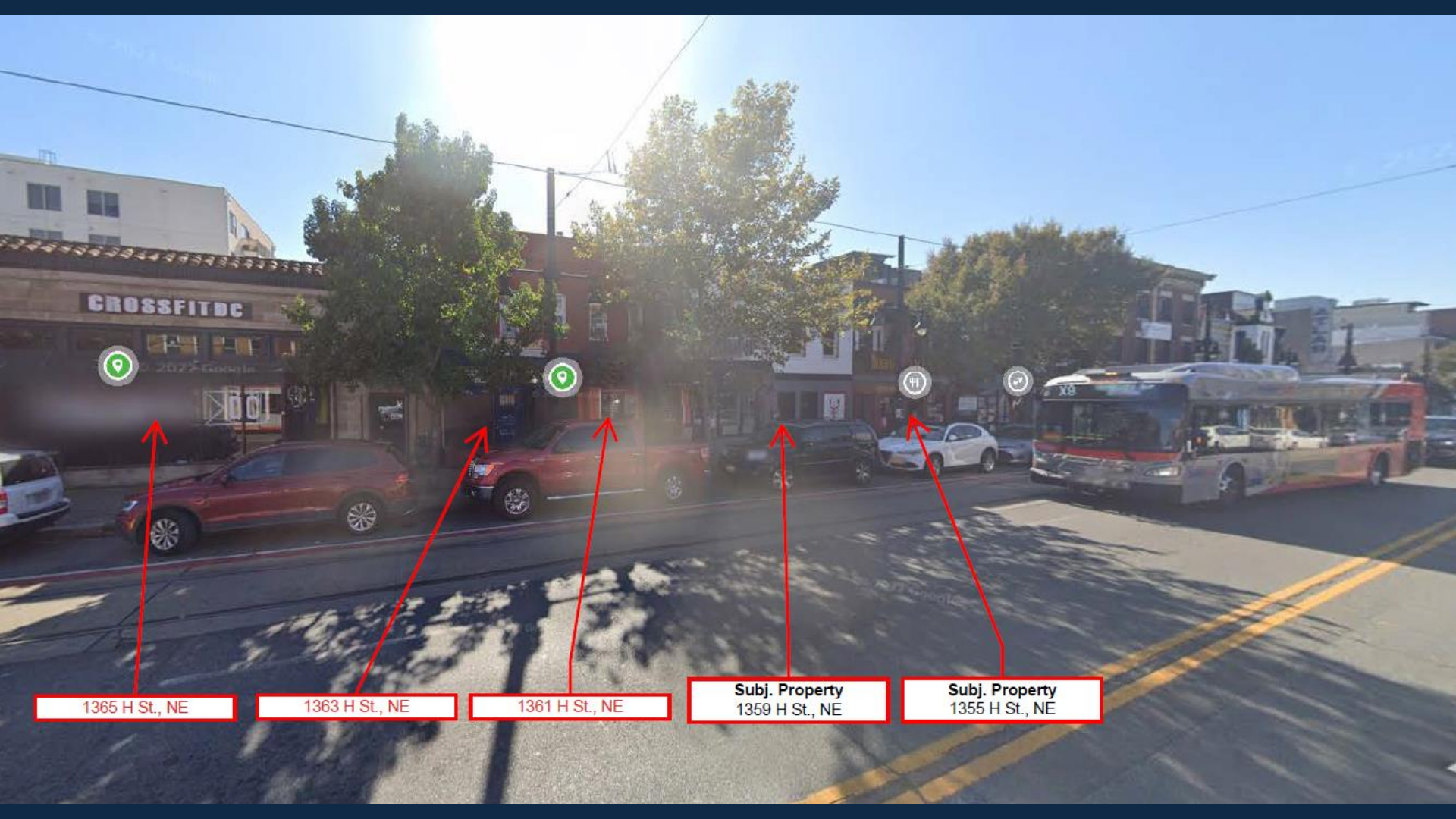




**Subj. Property**  
1359 H St., NE

**Subj. Property**  
1355 H St., NE





CROSSFITDC

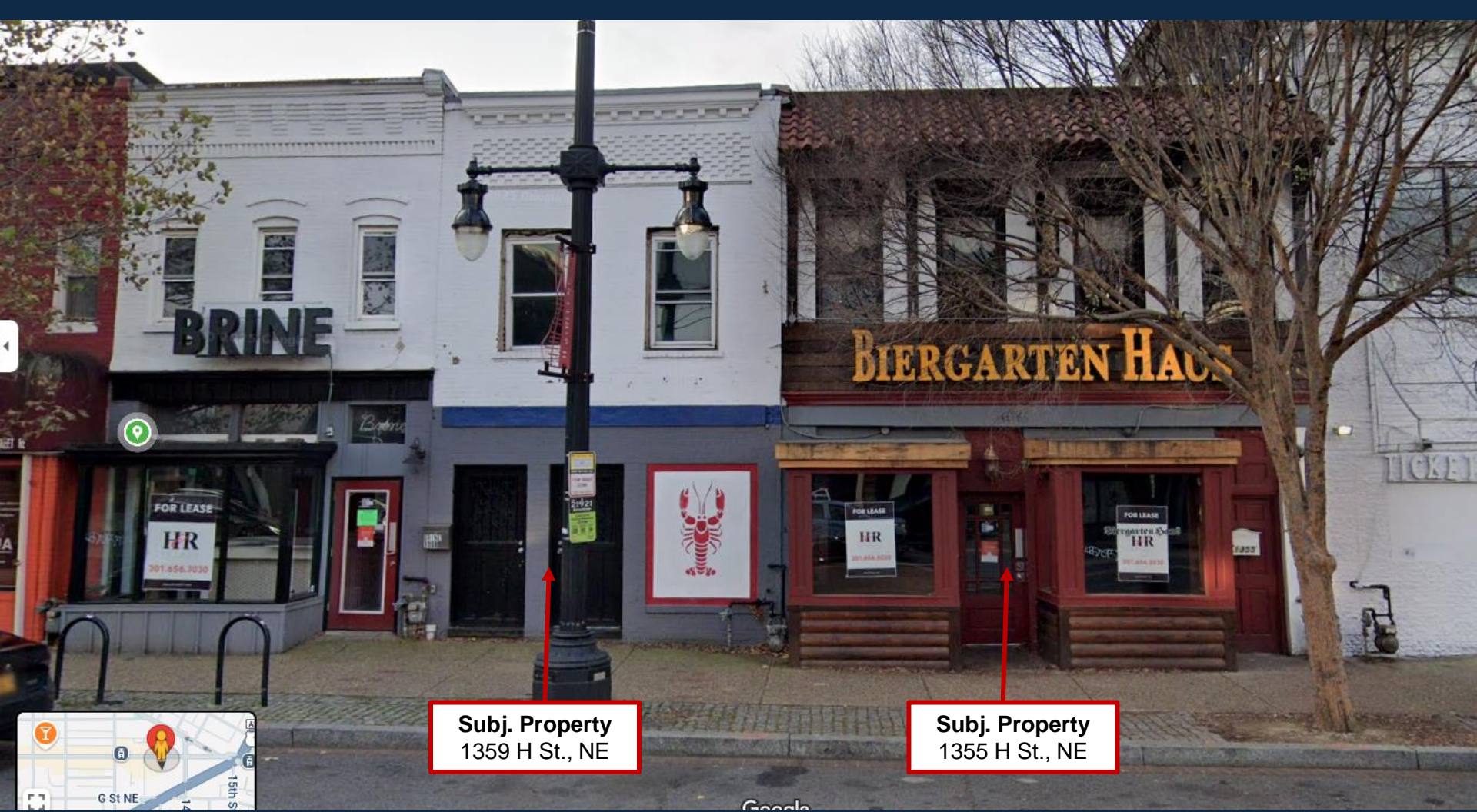
1365 H St., NE

1363 H St., NE

1361 H St., NE

Subj. Property  
1359 H St., NE

Subj. Property  
1355 H St., NE



**Subj. Property**  
1359 H St., NE

**Subj. Property**  
1355 H St., NE





**Subj. Property**  
1355 Rear H St., NE

**Subj. Property**  
1357 H Street, NE

**Subj. Property**  
1361 Linden Court, NE





**Subj. Property**  
1355 Rear H St., NE

**Subj. Property**  
1357 H Street, NE

**Subj. Property**  
1361 Linden Court, NE



← 1355 H St NE 🔍 ✕

1335 Linden Ct NE

Washington, District of Columbia



Google Street View

Oct 2018

[See more dates](#)

**Subj. Property**  
1355 Rear H St., NE

**Subj. Property**  
1357 H Street, NE

**Subj. Property**  
1361 Linden Court, NE





**Subj. Property**  
1355 Rear H St., NE

**Subj. Property**  
1357 H Street, NE

**Subj. Property**  
1361 Linden Court, NE










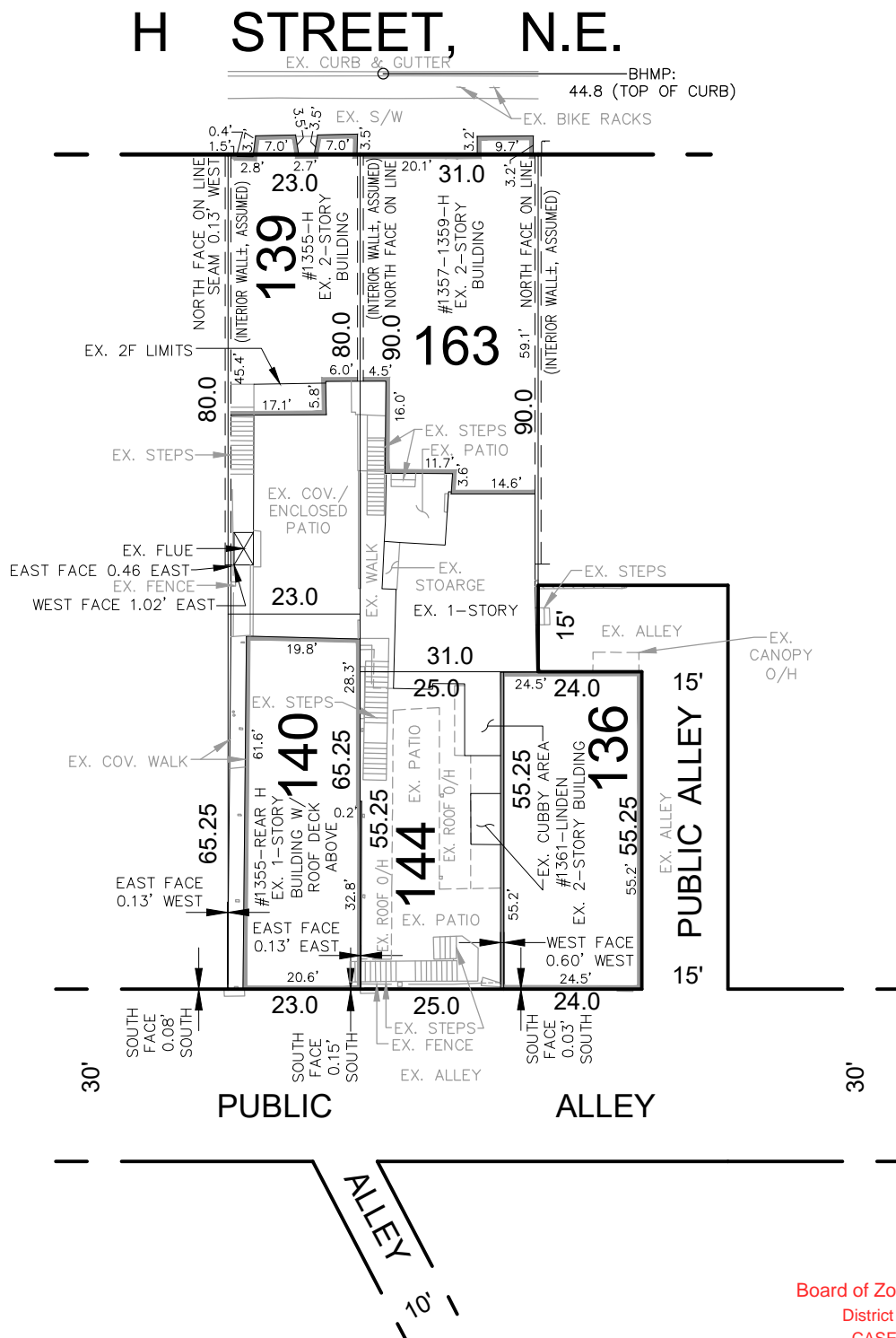
## Notes:

1. All proposed demolition or raze of existing buildings is omitted for clarity, refer to Sheet CIV100 and CIV101 for additional details.
2. Existing chimneys and/or vents on adjacent properties within 10 feet of the subject property are not shown. Not applicable to project scope or reviews, and/or these locations are inaccessible.
3. Existing conditions shown hereon are based upon a survey completed in September, 2024.

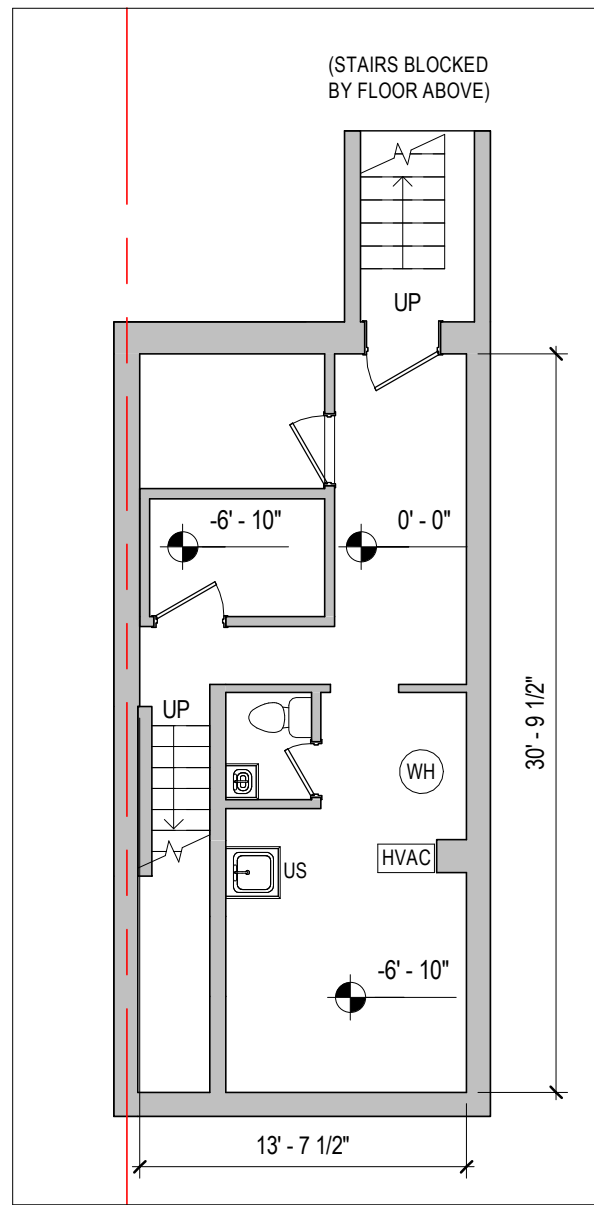
## SQUARE 1027

## LEGEND:

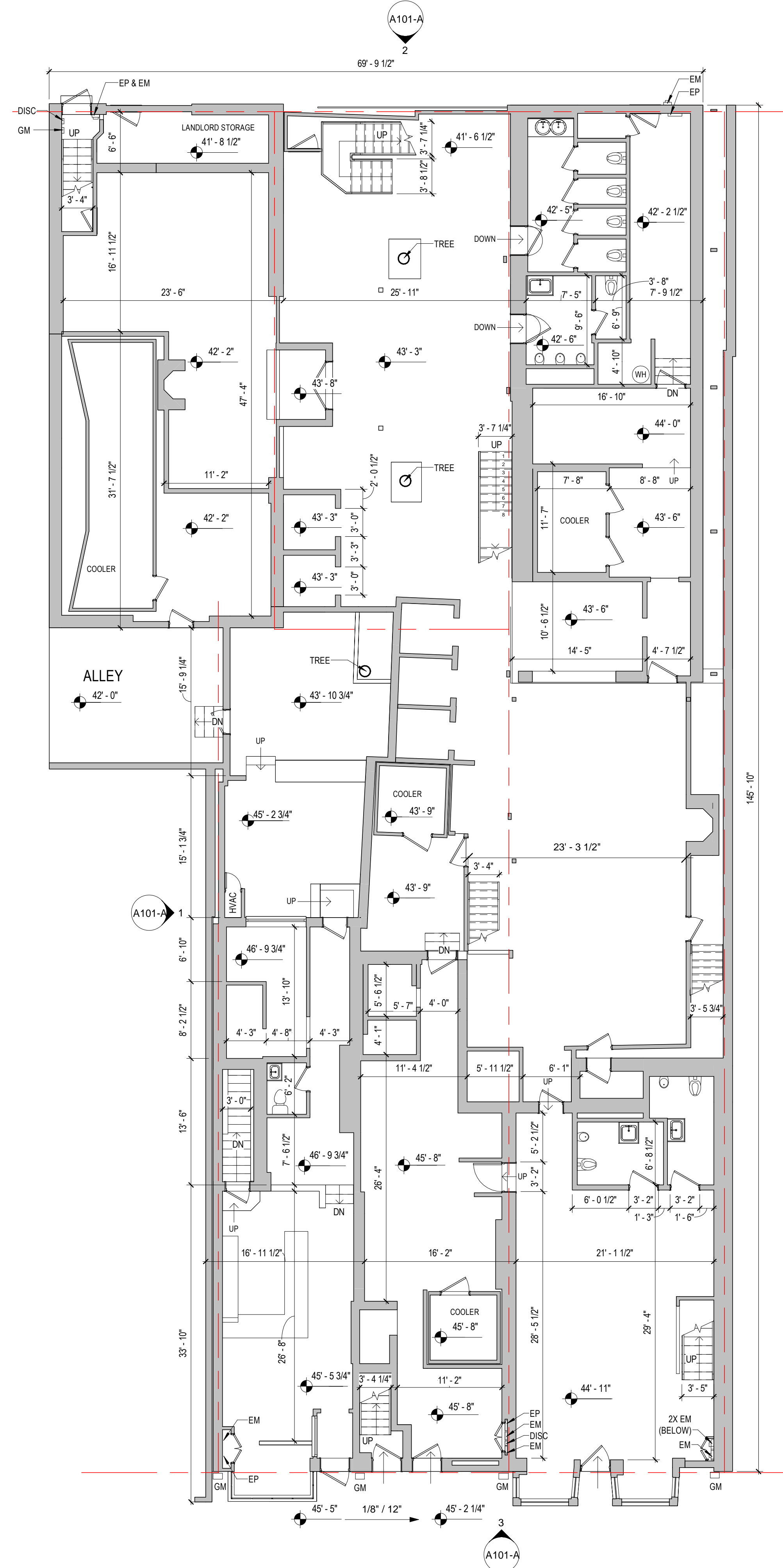
2F = SECOND FLOOR
BHMP = BUILDING HEIGHT MEASURING POINT
COV. = COVERED
EX. = EXISTING
O/H = OVERHANG
S/W = SIDEWALK
W/ = WITH
 = RETAINING WALL



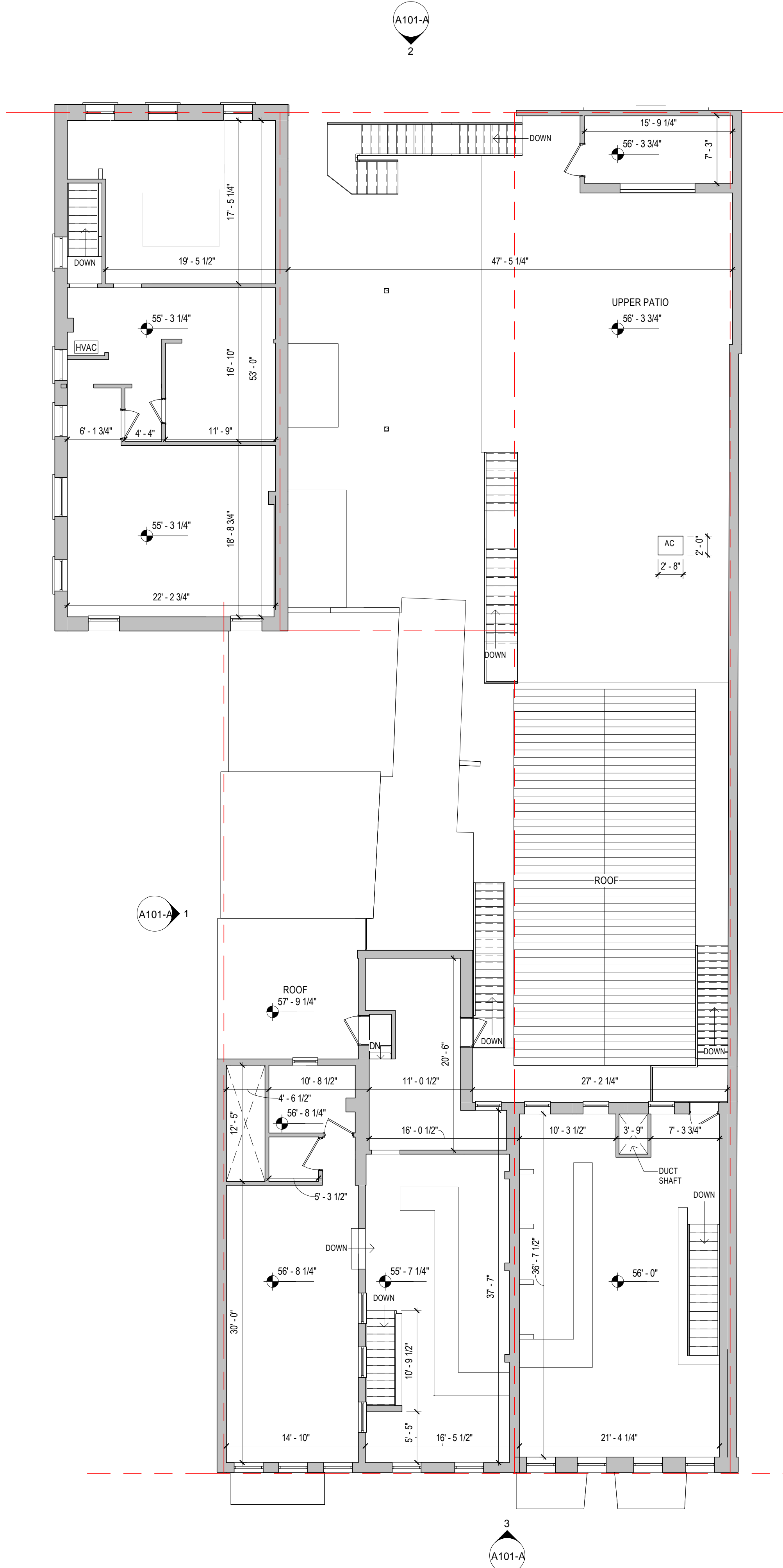




**1 EXISTING\_ BASEMENT**  
1/8" = 1'-0"



**2 EXISTING \_ 1ST FLOOR**  
1/8" = 1'-0"



**3 EXISTING\_ 2ND FLOOR**  
1/8" = 1'-0"

EM - ELECTRIC METER  
EP - ELECTRIC PANEL  
DISC - ELECTRICAL DISCONNECT  
AFF - ABOVE FINISHED FLOOR  
GM - GAS METER  
WH - WATER HEATER  
DF - DRINKING FOUNTAIN  
US - UTILITY SINK



Rev	Description	Date

ADDRESS	H ST FOOD HALL 1355-1359 H ST NE WASHINGTON, DC 20002
STATUS	PURPOSE OF ISSUE PERMIT

SEAL

TITLE  
**EXISTING PLANS**

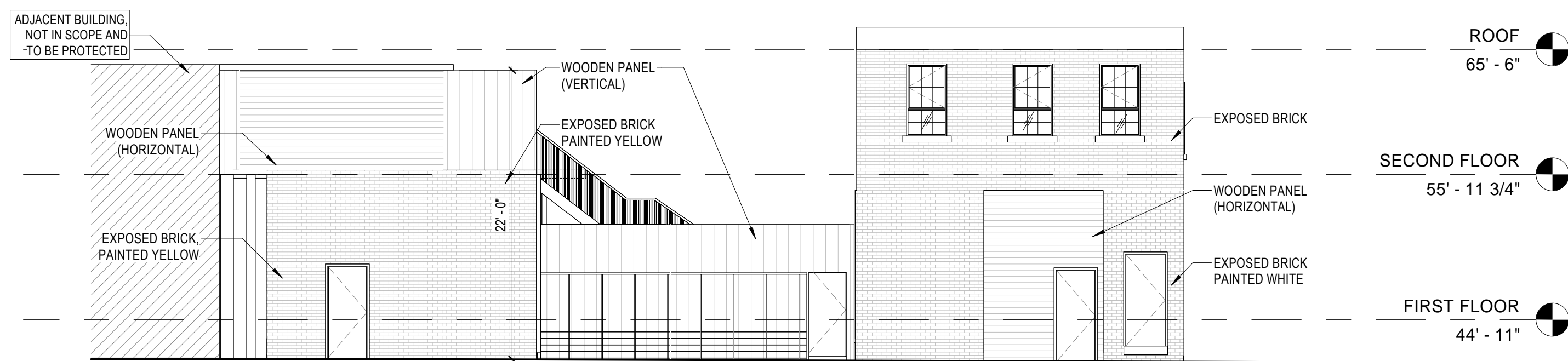
CLIENT  
**1355-1359 H ST NE, LLC**

DRAWN BY VEE	CHECKED BY JJ RIVERS	DATE 05/02/2025
SCALE (@ A1) As indicated	PROJECT NUMBER 42-001	REV
DRAWING NUMBER A101		

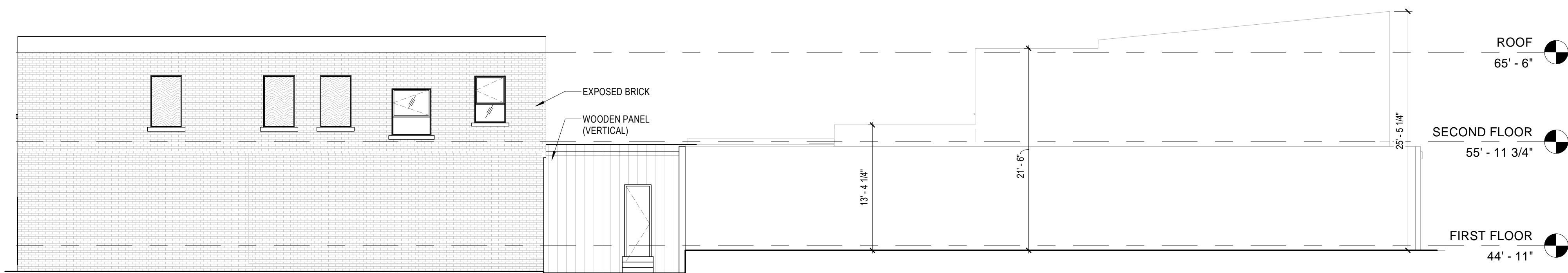




3 EXISTING NORTH ELEVATION - H STREET, N.E.  
1/8" = 1'-0"



2 EXISTING SOUTH ELEVATION - PUBLIC ALLEY  
1/8" = 1'-0"



1 EXISTING EAST ELEVATION - PUBLIC ALLEY  
1/8" = 1'-0"



VIEW FROM H STREET , N.E.



VIEW FROM PUBLIC ALLEY

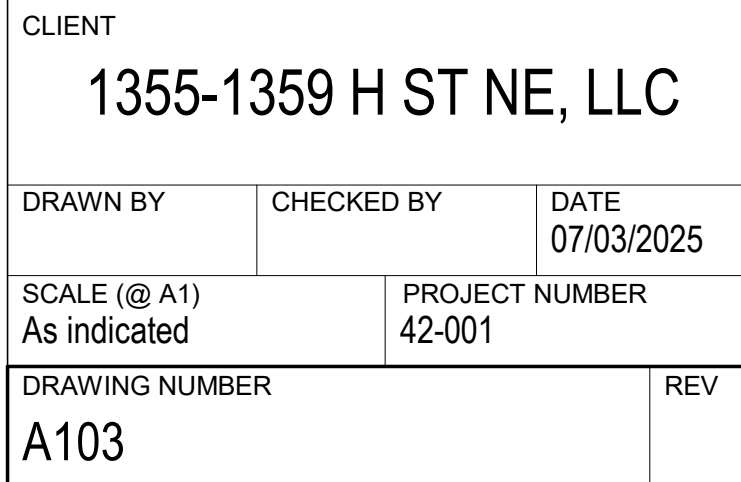


VIEW FROM PUBLIC ALLEY

Rev	Description	Date

ADDRESS	H ST FOOD HALL 1355-1359 H ST NE WASHINGTON, DC 20002	
STATUS	PURPOSE OF ISSUE PERMIT	
SEAL		
TITLE	EXISTING PHOTOS & ELEVATIONS	
CLIENT	1355-1359 H ST NE, LLC	
DRAWN BY VEE	CHECKED BY JJ RIVERS	DATE 05/02/2025
SCALE (@ A1) 1/8" = 1'-0"	PROJECT NUMBER 42-001	
DRAWING NUMBER A101-A	REV	



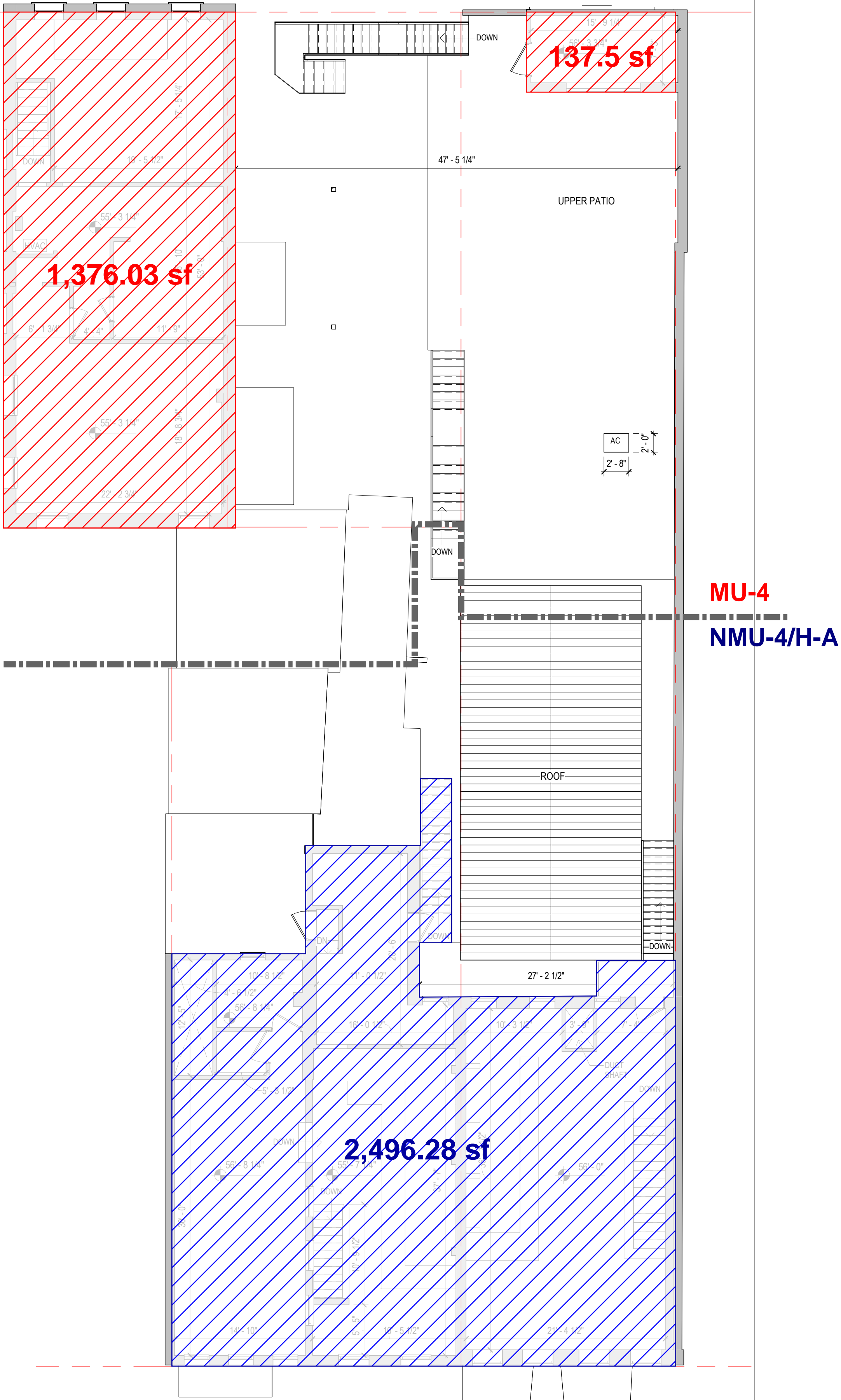
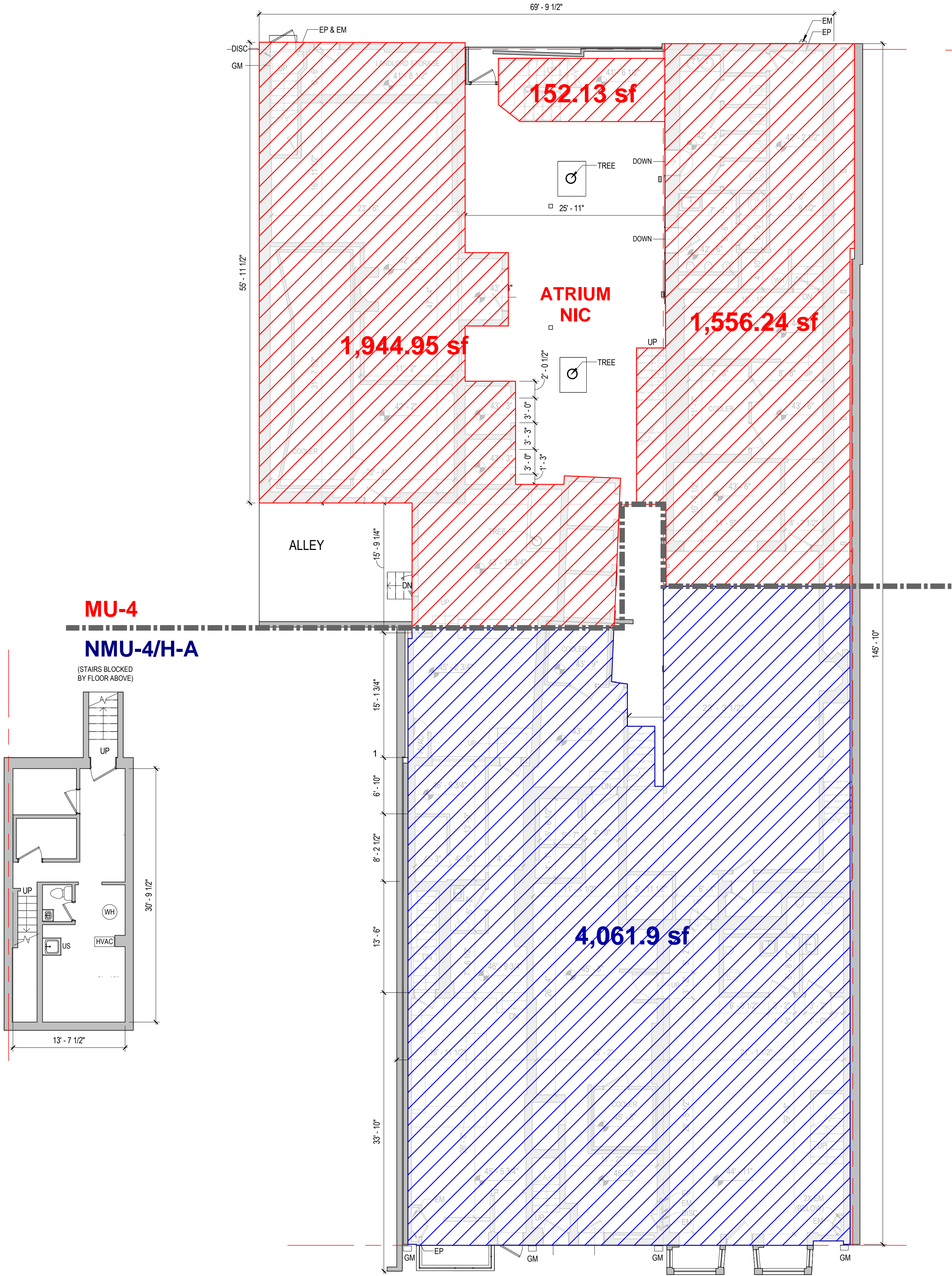




DRAWING NUMBER	REV
A103-A	



EXISTING GFA



1 EXISTING\_CELLAR  
1/8" = 1'-0"

2 EXISTING\_1ST FLOOR  
1/8" = 1'-0"

3 EXISTING\_2ND FLOOR  
1/8" = 1'-0"

Rev	Description	Date

CODE	SUITABILITY DESCRIPTION
STATUS	PURPOSE OF ISSUE

PROJECT

H ST FOOD HALL  
1355-1359 H ST NE  
WASHINGTON, DC 20002

TITLE

EXISTING PLANS

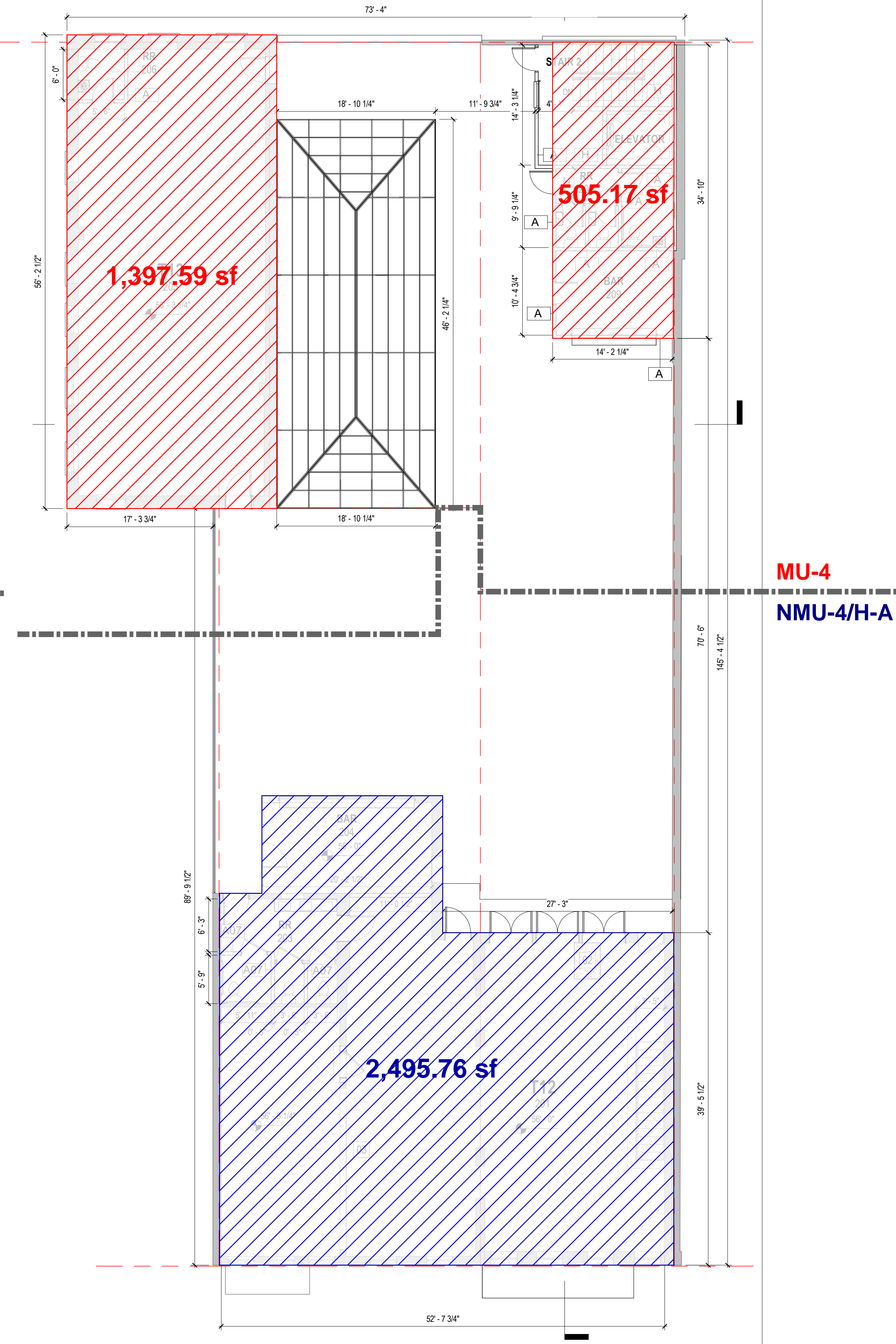
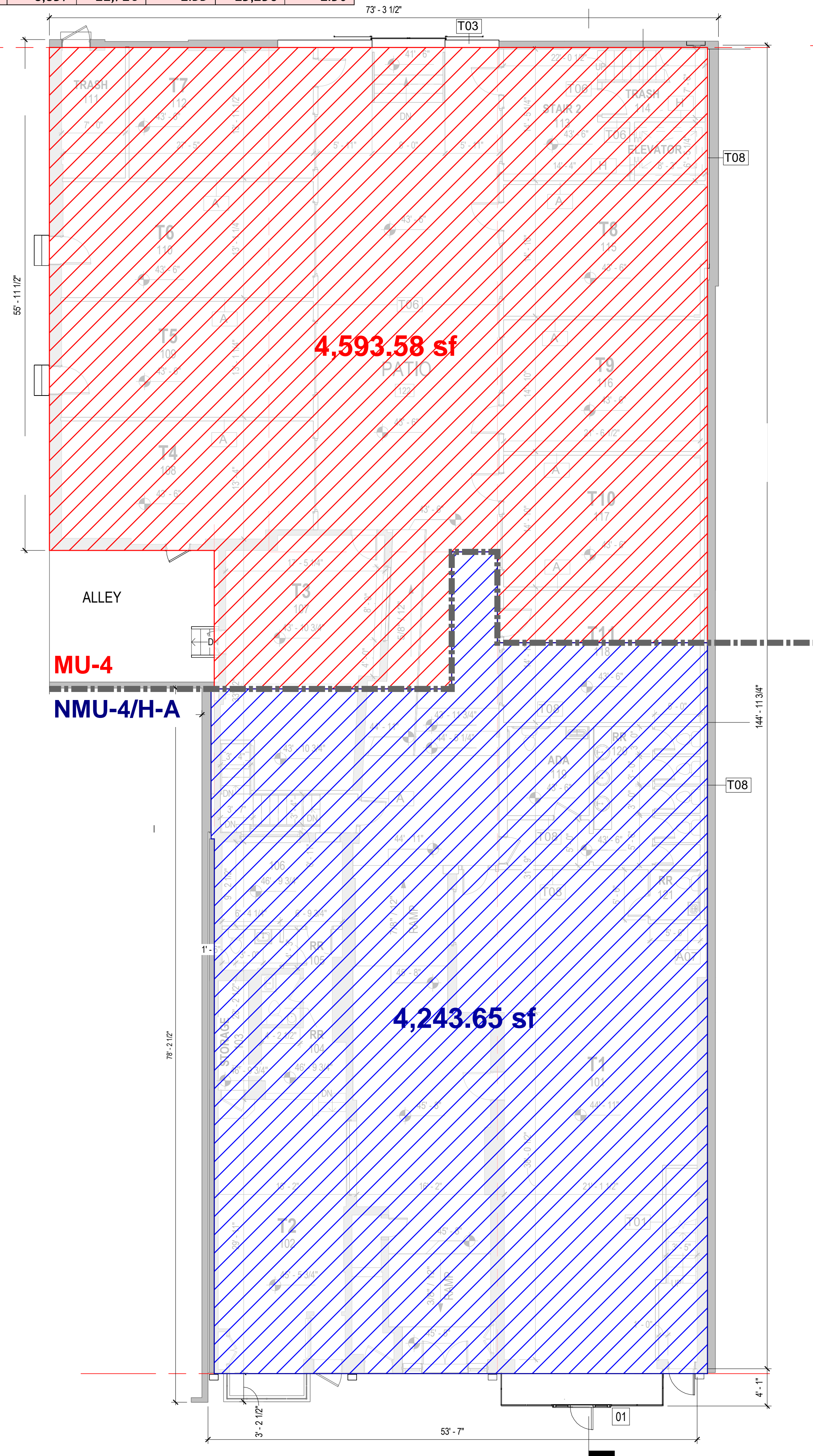
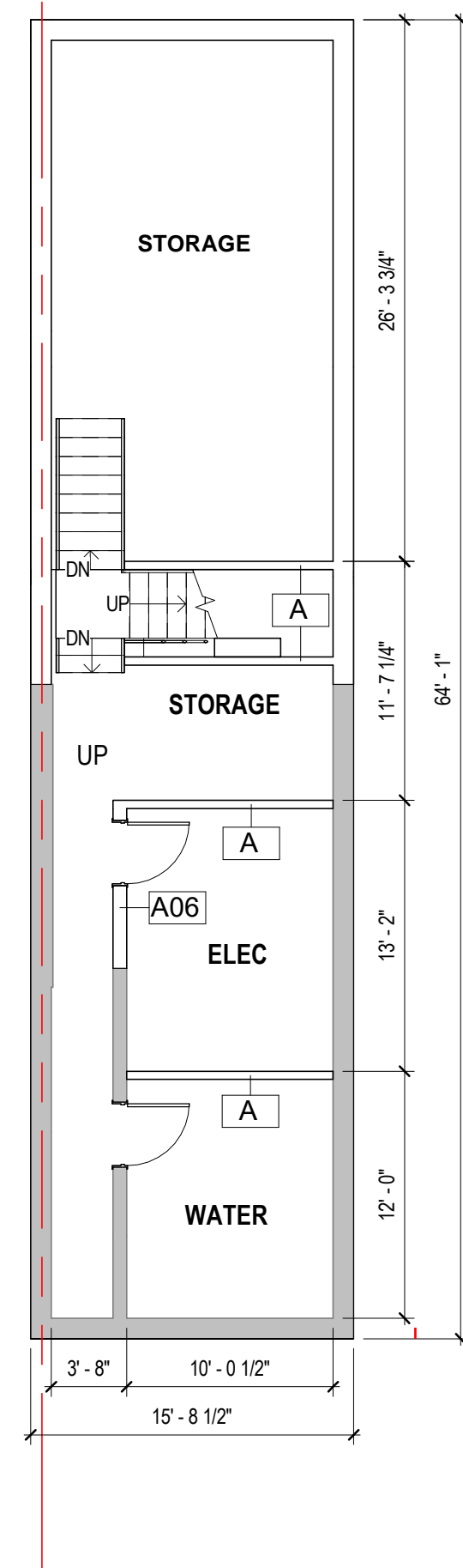
CLIENT

1355-1359 H ST NE, LLC

DRAWN BY	CHECKED BY	DATE
SCALE (@ A1) As indicated	PROJECT NUMBER 42-001	REV
DRAWING NUMBER A101		



Zone	Allowable FAR	Lot Size	Exist. GFA	Exist. FAR	Prop. GFA	Prop. FAR
MU-4	1.50	4,593	5,167	1.12	6,496	1.41
NMU-4	1.50	4,244	6,559	1.55	6,739	1.59
Combined	1.50	8,837	11,726	1.33	13,236	1.50



**1 PROPOSED\_CELLAR**  
1/8" = 1'-0"

**2 PROPOSED\_ 1ST FLOOR**  
1/8" = 1'-0"

**3 PROPOSED\_ 2ND FLOOR**  
1/8" = 1'-0"

[illegible]

ADDRESS	H ST FOOD HALL 1355-1359 H ST NE WASHINGTON, DC 20002
STATUS	PURPOSE OF ISSUE

EAL

# PROPOSED PLANS

CLIENT  
1355-1359 H ST NE, LLC

DRAWN BY		CHECKED BY	DATE
SCALE (@ A1) is indicated		PROJECT NUMBER 42-001	
DRAWING NUMBER 1103			REV



## General Special Exception Criteria

The uses are primarily by-right uses, but for the 'fast-food' uses, which are going to be fast-casual, prepared food, or small concept restaurant and not traditional 'fast-food'. Based on the existing improvements, it appears that despite the separate lots and structures, there was unrestricted access between the 1355 H Street property and at least two of the alley lots. So, the proposal is effectively continuing the unrestricted access, albeit under proper code review and licensing by combining the lots formally, making the building safer and protecting it from the elements. Given that the other adjacent properties are commercial uses and there is no envelope expansion resulting from this redevelopment, the proposal will not tend to adversely affect the use of neighboring properties.



Specific Criteria of G-207 Rear Yard	Proposed
(a) No apartment window shall be located within 40 ft. directly in front of another building;	No residential (apartment) use is proposed.
(b) No office window shall be located within 30 ft. directly in front of another office window, nor 18 ft. in front of a blank wall;	No office use is proposed.
(c) In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;	N/A.
(d) Provision shall be included for service functions, including parking and loading access and adequate loading areas; and	The proposed project will not eliminate or reduce any existing functional space on the site. The requested relief pertains only to a small portion of the building above 20 feet at the rear, and whether that area is set back or not has no effect on service functions such as parking, loading, or trash. <b>Both the by-right and proposed scenarios offer identical space and access for these operations.</b> The property will continue to have access from both H Street and the alley for loading, with the 30-foot-wide alley serving as the preferred loading area, as it likely has in the past. Trash will be stored internally, and tenants are expected to coordinate daily pick-up. Additionally, the increase in FAR results from enclosing existing, previously uncovered ground-floor space, rather than adding new bulk to the structure.

Specific Criteria of U-513.1(e) & H-6007.1(e)(2) Fast Food	Proposed
(1) If the use is a single tenant in a detached building....	NA
(2) Any refuse dumpster used by the establishment shall be housed in a 3-sided enclosure equal in height to the dumpster or 6 ft. high, whichever is greater. The entrance to the enclosure shall include an opaque gate. The entrance shall not face or be within 10 ft. of a R, RF, or RA zone;	Trash shall be stored internally in a storage rooms at the rear of the building, adjacent to the alley. Per the condition proposed by OP and agreed to by the Applicant: <i>All trash for tenants that have obtained a Certificate of Occupancy for fast-food shall be stored in indoor trash rooms within the main building envelope, such as those shown on Sheet A103 of Exhibit 33B, until such time as the trash is removed from the premises by a garbage contractor. No dumpsters or other trash or recycling containers serving the fast-food uses shall be kept in public space. Exterior doors to any trash rooms shall be kept closed except when in use by tenants depositing trash or by the contractor removing trash.</i>
(3) The use shall not include a drive-through;	The use does not include a drive-through.
(4) The use shall be designed and operated so as not to become objectionable to neighboring properties because of noise, sounds, odors, lights, hours of operation, or other conditions;	The requested relief is limited to only a handful of tenant stalls, not the entire building. Further, there is no increase in commercial use space and the use is located in a commercial area with similar uses, and for this among other reasons, is not designed and will not be operated so as not to become objectionable to neighboring properties. Next-door neighbors are both supportive. Any alcohol service will go through the ABRA process.



Specific Criteria of U-513.1(e) & H-6007.1(e)(2) Fast Food	Proposed
(5) The use shall provide sufficient off-street parking, but not less than that required by Subtitle C, Chapter 7 to accommodate the needs of patrons and employees;	The area is a Walker's Paradise and there is ample public transportation. Parking is not required and the previous uses on site are the same as what is being proposed (eating/drinking, retail, and service).
(6) The use shall be located and designed so as to create no dangerous or otherwise objectionable traffic conditions; and	As there will be no on-site parking, the use shall not create any dangerous traffic conditions. Further, the Streetcar line has a stop directly in front of the building and it is in a main corridor in the area, adjacent to other commercial shops. Accordingly, the use shall not create any objectionable traffic conditions. Further, the proposal consists of the same types of commercial uses that have historically been at this location, and the Applicant is not proposing any expansion of the uses.
(7) The Board of Zoning Adjustment may impose conditions pertaining to design, screening, lighting, soundproofing, off-street parking spaces, signs, method and hours of trash collection, or any other matter necessary to protect adjacent or nearby property.	The Applicant will comply with additional conditions. It will note that each individual tenant seeking to serve alcohol will have to go through the ABRA process, allowing ample review of each proposed use by the community in addition to the Board of Zoning Adjustment review. This was echoed and understood by the ANC.

# Questions?

