

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: September 10, 2025
SUBJECT: BZA Case 21342 (2002-2006 Fenwick Street) to permit an entertainment venue in the PDR-2 zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Minimum Parking, Subtitle C § 701, pursuant to Subtitle C § 703.2 and Subtitle X § 901.2 (12 spaces minimum required / None existing; None proposed)
- Entertainment use, Subtitle U § 802.1(e), pursuant to Subtitle X § 901.2 (Existing entertainment venue: Proposed: Entertainment venue)

II. LOCATION AND SITE DESCRIPTION

Address	2002- 2006 Fenwick Street NE
Applicant	Jemal's Big Chief LLC
Legal Description	PAR 01420029 and 01420015
Ward, ANC	Ward 5/ANC 5D
Zone	PDR-2 -intended to permit medium-density commercial and PDR activities
Historic District	None
Lot Characteristics and Existing Development	Parcel 0015 is a rectangular lot measuring 5,000 square feet and abuts a 20-feet wide alley along its north property line. It is developed with a two-story commercial structure. Parcel 0029 is a 4,500 square feet lot, generally rectangular in shape but with a dog leg at the rear providing a small frontage on Okie Street and has no alley access. It is currently developed with a one-story restaurant building with no rear yard. The building has an open roof-top bar.
Adjacent Properties	Abutting properties are generally commercial properties in the PDR-2 zone; a mixed commercial / residential building (Hecht Warehouse site) is to the east, across Fenwick Street.

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Surrounding Neighborhood Character	The immediate area is primarily made up of revived commercial uses with some new residential apartments. Most of the buildings, including the subject property, cover the lot to the rear property line, with no rear yard or access to a rear alley.
Proposed Development	The proposal is to establish an entertainment and event space within the two buildings located at 2002 and 2006 Fenwick Street NE.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone- PDR-2	Regulation	Existing	Proposed	Relief
Lot Area	N/A	4,500 sq.ft.	4,500 sq.ft.	None Required
Lot Width	N/A	42 ft.	42 ft.	None Required
Lot Occupancy	100 % max.	Lot 29: 85% Lot 15: 100 %	No change	None Required
Floor Area Ratio J § 202	3.0 FAR max.	Lot 29: 1.7 FAR Lot 15: 1.0 FAR	No change	None Required
Height J § 203	60 ft. max.	Lot 29: 17 ft Lot 15: 28 ft	No change	None Required
Rear Yard J § 205.1	2.5 in/ft ht.; 12 ft. min. above 20 ft.	N/A	0 ft.	Existing nonconformity
Parking C § 701	Lot 29: 16 spaces Lot 15: 10 spaces	No space on either lot	No change	Relief Requested
Entertainment Use U § 802.1 (e)	Permitted by SE	Bar and Restaurant currently operating as an entertainment venue	Entertainment venue	Relief Requested

IV. OFFICE OF PLANNING ANALYSIS

Subtitle U § 802.1 (e) Entertainment, assembly, and performing arts uses, subject to the following conditions:

(1) *The use shall be located and designed so that it is not likely to become objectionable to neighboring property because of noise, traffic, parking, loading, number of attendees, waste collection, or other objectionable conditions.*

The use is presumed compatible with the zone if approved by special exception including criteria to mitigate impacts from the use. The applicant has requested relief from the on-site parking requirement as the property cannot accommodate parking due to its developed state.

(2) *The property shall not abut a residential use or residential zone.*

The site does not abut a residential zone.

(3) *There is no property containing a live performance, nightclub or dance venue either in the same square or within a radius of one thousand (1,000 ft.) from any portion of the subject property.*

The Applicant has provided evidence to the record, including certificate of occupancies, that there are no other properties approved for live performances within a thousand feet. [Exhibit 14](#)

(4) External performances or external amplification shall not be permitted; and

Performance would not be programmed to take place externally on the property.

(5) The Board of Zoning Adjustment may impose additional requirements as it deems necessary to protect adjacent or nearby residential properties, including but not limited to:

(A) Soundproofing.

(B) Limitations on the hours of operation; and

(C) Expiration on the duration of the special exception approval.

OP anticipates that the property would conform to building code requirements for entertainment venues and sound attenuation as the venue currently operates as a music venue, according to the Applicant. OP notes that based on the existing record, concerns have not been submitted by the community to date.

a. Entertainment use: Special Exception Relief from Subtitle U § 802.1 pursuant to Subtitle X § 901.2

a. Relief is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Map

An entertainment venue is permitted by special exception and is presumed compatible with this zone subject to the satisfaction of mitigation criteria. Noise would be contained within the enclosed brick buildings with sound attenuation materials to mitigate noise impacts. The abutting properties are all within the PDR-2 zone, which is a medium density PDR zone and acts as a buffer for most single-family residential uses within the RF-1 zone well south of the location.

b. Will not affect adversely the use of neighboring property

OP does not anticipate that the requested relief from the use requirement would have an adverse effect on the abutting neighboring properties due to noise or other objectionable conditions. The building across Fenwick Street is a mixed-use building with ground floor commercial use (Goodwill) with five floors of residential above in a brick and glass historic structure. The subject property has a maximum of two floors and does not have windows or open-air spaces for public gatherings. Management of crowd control outside of the venue prior to entry should be addressed by the applicant at the hearing.

c. Will meet the specified special conditions

The application satisfies the use criteria under Subtitle U § 802.1 (e), except for on-site parking, and relief has been requested.

b. Parking: Special Exception Relief from Subtitle C § 703.2

703.2 The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant's demonstration to the Board's satisfaction of at least one (1) of the following:

OP's review of the Applicant's statement indicates that the request would satisfy criteria (a), (b) and (c) of C § 702.3 reviewed as follows:

(a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8.

Parking cannot be accommodated as there is no parking at present, the existing buildings are not set back from their rear property lines, and the lots are developed at or close to maximum lot occupancy (100% and 85%). Required parking cannot be located within 600 feet. There is a parking garage within a block east of the location on Okie Street, and while those spaces are assigned to other commercial uses, they are also used for public parking by patrons of surrounding businesses.

(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities.

The neighborhood is well served by WMATA bus lines, commercial rideshare and Capital Bikeshare as outlined in the Applicant's statement. Capital Bikeshare station is located on Hecht Avenue, and the area is served by two bus lines.

(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces.

The properties are in a PDR area with access to public transportation, bikeshare infrastructure, and rideshare services. PDR zoned properties on all sides provide a buffer between the subject location and the closest RF-1 residential area. Typically, within an urban environment, patrons of entertainment and live music venues arrive by rideshare, or transit—particularly during evening hours when on-street parking is not readily available. In addition, the immediate area is compact with little to no on-site parking or open parking lots. The Applicant hired a consultant to perform parking counts including during weekends for DDOT's review.

Existing transportation options mitigate the need or availability for parking at entertainment venues in this neighborhood and OP would support the request for relief from the on-site parking required under the regulations, subject to DDOT's review and recommendations.

b. Special Exception Standards of X § 901.2

a. Relief is in Harmony with the General Purpose and Intent of the Zoning Regulations and Zoning Map

The site is within an area which is well served by public transportation and pedestrian options as noted in the criteria. Therefore, relief from the regulations would in no way harm the intent of the regulations.

b. Will not affect adversely the use of neighboring property

This is a compact environment with narrow streets and sidewalks, and on-street parking is limited. The subject use is already in operation, and the Applicant should provide additional information at the hearing regarding its current operation, including number of patrons it currently serves, hours of operation and related vehicle access to the venue.

c. Will meet the specified special conditions

The specified criteria under Subtitle 703.2 (a) (b) and (c) were satisfied as reviewed prior.

V. OTHER DISTRICT AGENCIES

As of the date of this report, reports from other agencies had not been added to the record.

VI. ADVISORY NEIGHBORHOOD COMMISSION

A report from the ANC has not been filed to the record to date.

VII. COMMUNITY COMMENTS TO DATE

Community comments were not included in the record at the writing of this report.

LOCATION MAP

