



Subj: BZA Application 1351 Wisconsin Ave

April 14, 2018

I. Introduction

Compass Coffee requests a special exception, pursuant to 11-U DCMR Section 512.1(d)(3) to construct an eating and drinking establishment consisting of a coffee shop in an existing building at 1351 Wisconsin Ave N.W. (Square 1243, Lot 0075) located in a MU-4 District to seat more than 18 customers. Compass Coffee is proposing to provide 112 seats in the coffee shop. No drive-through is proposed.

II. Standard of Review

Section 512.1(d)(3) of the Zoning Regulations allows prepared eating and drinking establishments limited to eighteen (18) seats as a matter-of-right in a MU-4 District. In the MU-4 District, however, eating and drinking establishments with more than 18 seats require special exception approval, as set forth below:

512.1(d)(3) A prepared food shop in a MU-4, MU-17, MU-24, MU-25, MU-26, and MU-27 zone shall be limited to eighteen (18) seats for patrons.

III. Compliance with the Standards of Section 901

A. The Special Exception Will Be in Harmony with the General Purpose and Intent of the Zoning Regulations and Maps.

This property has historically been part of shopping center occupied by commercial eating and drinking establishment uses and is surrounded by properties with commercial uses (&Pizza, Starbucks, Paulo's, Thomas Sweet, Boulangerie Christophe, Wingo's, 7-Eleven, Martin's, Chipotle, CVS Pharmacy). The special exception request to establish a coffee shop will be in harmony with the general purpose and intent of the Zoning Regulations and Map to promote the public health, safety, morals, convenience, order, prosperity and general welfare. 11-A DCMR § 101.1. Because there is no proposed addition to the building as a result of the coffee shop, the use will not change or interfere with existing light and air. Similarly, because the seating capacity is being limited to 112 indoor seats on private property, the use will not allow undue concentration of population and the overcrowding of land. It also will not result in an uneven distribution of population, business and industry and use of land. See 11-A DCMR § 101.1.

2. The Special Exception Will Not Tend to Adversely Affect the Use of Neighboring Property in accordance with the Zoning Regulations and Maps.

The coffee shop will not tend to adversely affect the use of neighboring property. 11-A DCMR § 101.1. It will be one of many retail/service spaces located at and near the intersection of Wisconsin Ave and N Streets, N.W., will serve those that live, shop and work nearby. The site is adjacent to Bank of America and 7-Eleven. The proposed coffee shop is designed to serve residents of the surrounding community, shoppers, workers and visitors in the Georgetown area.

The coffee shop use and total number of seats will not create any adverse effects with respect noise, trash removal, deliveries or hours of operation. The increased seating will allow Compass Coffee to provide service to those living and working in this mixed-use district. Compass intends to operate from 5:30 AM to 8:00 PM Monday through Friday, and 6:30 AM to 8:00 PM on Saturday and Sunday.

IV. Community Outreach

Pursuant to Subtitle Y § 300.8(l), the applicant will be contacting the local Advisory Neighborhood Commission 2E and community groups within the next week to seek their feedback on this application.

V. Conclusion

Based on the foregoing, the applicant meets the test for a special exception to establish an eating and drinking establishment with seating at 112 instead of 18 and the special exception request should be granted.