



MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Jennifer Steingasser, Deputy Director

DATE: June 14, 2011

SUBJECT: BZA #18228 – Request for variance to permit zero parking

I. RECOMMENDATION

The Office of Planning (OP) **recommends approval** of the required variance relief:

- (§2101) Permit a restaurant to provide zero parking spaces where one is required.

II. LOCATION AND SITE DESCRIPTION

| | |
|------------------------------------|---|
| Address | 1454 P Street, NW |
| Legal Description | Square 210, Lot 129 |
| Ward and ANC | 2F |
| Lot Characteristics | Corner lot on 15 th and P, NW; Existing one-story commercial building; Eastern portion of the building is contributing to the 14 th Street Historic District; Two curb cuts lead to the paved western portion of the property – one from P Street and one from 15 th Street; Alley runs along eastern side of the property next to the building. |
| Zoning | Arts / C-3-A (Uptown Arts Overlay / Commercial) |
| Adjacent Properties | Commercial building across alley to the east; Mixed use (retail and residential) building to the south. |
| Surrounding Neighborhood Character | Mix of uses on this block of P Street with significant retail; Multifamily and rowhouse residential throughout neighborhood. |

III. PROJECT DESCRIPTION IN BRIEF

| | |
|-----------------|-----------------------------------|
| Applicant | Clover Logan Circle, LLC |
| Proposal | Establish a restaurant use. |
| Relief Required | Variance to provide zero parking. |

IV. ZONING REQUIREMENTS

The Zoning Administrator has determined that the proposed restaurant use would require one parking space. The applicant, therefore, is seeking a variance to reduce the parking requirement from one to zero. The existing building will remain on the site and no new construction is proposed. No other relief from the C-3-A zone or the Arts Overlay was requested.

V. ANALYSIS

In order to be granted a variance, the applicant must demonstrate how the property meets the three-part test described in §3103.

- 1. Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?**

The subject property exhibits unusual features. Although the property is adjacent to an alley, the building has a continuous face along the alley and there is no vehicular access from the alley to the property. In addition, the portion of the building on the alley is considered historic and cannot be modified. Also, the lot has two existing curb cuts, but those driveways cross very busy sidewalks, connect with very busy streets, and are located very close to the intersection of those streets.

- 2. Does the extraordinary or exceptional situation described in the first part of the variance test impose a practical difficulty which is unnecessarily burdensome to the applicant?**

The lack of existing access from the alley and the inability to create new access from the alley means that any vehicle must enter the site from P or 15th Streets. There are existing curb cuts on those streets onto the site, but the use of those curb cuts could result in an unsafe condition for pedestrians, bicyclists and motorists. A car accessing the site would likely pull in and then back out, or back in and then pull out. The sidewalks in question are highly used and 15th Street is a major bicycle route. 15th Street is also a high-volume and sometimes high-speed vehicular corridor. These factors are exacerbated by the fact that the 15th Street and P Street curb cuts are only about 45 feet and 30 feet from the intersection, respectively. In fact, because of the proximity of the curb cuts to the intersection, the District Department of Transportation (DDOT) stated, in an email to OP, that it would be unlikely to approve the use of those curb cuts for a new use on the site. The creation of an unsafe condition and the lack of permission to use existing curb cuts would be a practical difficulty to the applicant.

- 3. Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?**

If relief is granted it would improve pedestrian, bicycle and vehicular safety at this very busy intersection. Pedestrians and bicyclists would not have to cross the path of moving vehicles, and

motorists would not have to contend with vehicles entering the roadway. Relief would also allow for a more attractive streetscape and additional outdoor seating for the restaurant, which would help enliven this corner.

Relief can be granted without impairing the intent of the Regulations. The Zoning Regulations seek to ensure that all uses have enough off-street parking. In this case the use would only require a single parking space, and most patrons of the restaurant would walk, bike or take transit to the area. Furthermore, the closure of the curb cuts could realistically result in additional on-street parking, making up for the lack of a single on-site space.

VI. HISTORIC PRESERVATION

The subject property is located in the 14th Street Historic District but is not a contributing structure. The design has received approval from the Historic Preservation Office.

VII. COMMENTS OF OTHER DISTRICT AGENCIES

Other than the previously referenced correspondence from DDOT, the Office of Planning has received no comments on this application from District agencies.

VIII. COMMUNITY COMMENTS

As of this writing, the Office of Planning has received no comments regarding the proposal from the ANC or from the community.

IX. ATTACHMENTS

1. Vicinity Map and Aerial Photo

JS/mrj
Matt Jesick, Project Manager

Attachment 1 Vicinity Map and Aerial Photo

