



## MEMORANDUM

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Arthur Jackson, Case Manager  
Joel Lawson, Associate Director Development Review

**DATE:** September 4, 2012

**SUBJECT:** **BZA Case 18395** – Request for Special Exception relief to establish gasoline station on property located at 2441 Market Street NE

### I. SUMMARY RECOMMENDATION

The Office of Planning (OP) **recommends** approval of the special exception requested in accordance with §§ 706, 726 and 2302 to authorize a gasoline station on the subject property.

### II. AREA AND SITE DESCRIPTION

Address:	2441 Market Street NE
Legal Description:	Square 4327 Lot 0005
Ward:	5A
Lot Characteristics:	A largely rectangular corner lot with an area of 93,598 square feet (2.15 acres) and frontage along New York Avenue NE. The subject property is elevated above the adjacent public right of way.
Existing Development:	Grading is apparently underway on previously undisturbed land.
Zoning:	<i>C-2-B</i> – a service station is allowed by special exception in accordance with § 726.
Historic District:	None.
Surrounding Neighborhood Character:	Site is within the Fort Lincoln community which is mainly residential. The gas station would be part of a new low density commercial development.
Adjacent Properties:	The abutting lot 0004 to the north and east is the site of the planned Costco Warehouse store (refer to Figure 1).

### III. PROJECT DESCRIPTION IN BRIEF

Applicant	Costco Wholesale Corporation, the owner of record
Proposal:	To allow construction of a new gasoline station with 16 multi-product fuel dispensers, eight fueling drive aisles, a 32 x 120-foot canopy and a single 44-square foot controller enclosure with space for one attendant. Vehicles would access the site from New York Avenue via a private drive network and from the drive aisles on the abutting Costco Wholesale store site.



	The gas station would not include freestanding signage, an auto repair shop or a convenience store/fast food outlet typical of many other gasoline stations.
Relief Sought:	§§ 706, 726 and 2302 – special exception approval to locate a proposed gasoline station on the subject property. No additional zoning relief was requested.

#### IV. OP ANALYSIS

##### Compliance with §§ 726 and 706:

726.1 A **gasoline service station** established or enlarged after May 12, 1958, or a repair garage not including body and fender work, shall be permitted in a **C-2 District** as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of § 706 and chapter 23 of this title. ...

706.1 A **gasoline service station** established or enlarged after May 12, 1958, shall be permitted in a C-1 District as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of chapter 23 of this title and the provisions of this section. ...

706.3 The station shall not be located within twenty-five feet (25 ft.) of a Residence District unless separated from the Residence District by a street or alley.

The property is approximately 512 feet southwest of the nearest Residence district which is R-5-D (refer to Figure 1).

706.4 The operation of the use shall not create dangerous or other objectionable traffic conditions.

Vehicular access to the commercial development, including the proposed gas station is from 33<sup>rd</sup> Street and New York Avenue would be via a private drive network. The fact that no vehicles would enter the gasoline service station pump area directly from a public right-of-way would reduce the possibility of increased congestion along any public street. The site plan indicates that the eight parallel service lanes would accommodate in excess of 56 vehicles. Only Costco members would be eligible to purchase gas at this facility.

A traffic study prepared for the applicant by Wells + Associates and dated June 11, 2012 that compared existing and anticipated traffic conditions in the area concluded:

- The proposed gasoline station is anticipated to generate 20 new AM and 26 new PM vehicle trips during the peak hours;
- The associated traffic will have a negligible impact on the off-site intersection studied<sup>1</sup>; and
- The proposed traffic signal at the 33<sup>rd</sup> Place/Fort Lincoln Drive/Site Driveway intersection would adequately accommodate the additional traffic because proposed signal timing to take the service station traffic into account.

Although no improvements would be required at any of the study intersections for the gas station, slight timing adjustments would be needed at South Dakota/33<sup>rd</sup> Street. These conclusions were reiterated in response to a District Department of Transportation (DDOT) suggestion in an email communication that additional improvements and mitigation measures would be needed at this intersection.

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<sup>1</sup> The intersections studies were Bladensburg Road/V Street/25<sup>th</sup> Place, South Dakota Avenue/33 Place and Fort Lincoln Drive/33<sup>rd</sup> Place NE.

706.5 *The Board may impose requirements pertaining to design, appearance, screening, or lighting, or other requirements it deems necessary to protect adjacent or nearby property.*

The applicant indicated that the service station plateau would be elevated above the New York Avenue right-of-way. The gasoline service station would include a number of state-of-the-art safety features that were outlined in applicant's Pre-hearing Statement dated August 28, 2012. Site lighting, which would come from under the service canopy, would be directed down so there would be no spill-over onto the adjacent properties or right-of-way. Because this is a "members-only" gas station, a tall free standing sign display of prices typical at other gas stations is not part of this application. Submitted plans also show that the slope along the avenue right-of-way would be landscaped with trees and other foliage.

Detailed specification and plans for the landscaping were provided at OP's request that were forwarded for DDOT review. DDOT did not express any concerns about this landscaping proposal.

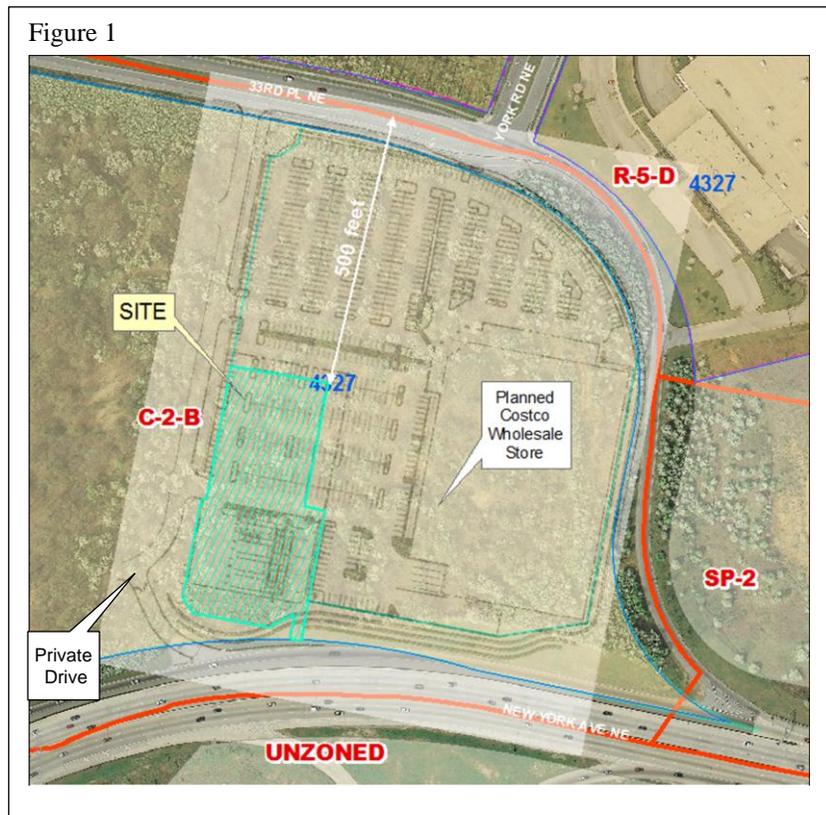
706.6 *Required parking spaces may be arranged so that all spaces are not accessible at all times. All parking spaces provided under this subsection shall be designed and operated so that sufficient access and maneuvering space is available to permit the parking and removal of any vehicles without moving any other vehicle onto public space.*

Section 2101.1 requires one parking space for each 300 square feet of gross service station floor area excluding the pump island canopy and attendant shelter. Since this proposal only includes a very small enclosure for one employee, no parking requirement is associated with the proposed use.

The submitted plans also indicate that the site is positioned, and the fueling service aisles arranged so the waiting vehicles could be removed from service queues without disrupting any public right-of-way.

Compliance with § 2302:

2302.1 *A public storage garage, repair garage, mechanical parking garage, or gasoline service station established or enlarged in any district except in the C-M or M Districts shall be subject to the provisions in this section.*



2302.2 *No portion of the structure or premises to be used for any of the uses listed in § 2302.1 shall be located within twenty-five feet (25 ft.) of a Residence District unless separated from that Residence District by a street or alley.*

The subject property is, and the proposed structures would be 500 feet or more from the nearest Residence (R-5-D) district.

2302.3 *No use listed in § 2302.1 shall have a vehicular entrance or exit connected with a street at a point closer than twenty-five feet (25 ft.) to any Residence District existing at the time the use is established, unless separated from the Residence District by a street or alley.*

Proposed vehicle access points would connect the subject property to the adjacent Costco store site and the private drive network, and not New York Avenue or Fort Lincoln Drive/33<sup>rd</sup> Place NE.

2302.4 *No driveway of any entrance or exit to any use listed in § 2302.1 shall be closer than forty feet (40 ft.) to a street intersection as measured from the intersection of the curb lines extended.*

Based on Special Exception Plat 1 submitted with the application, the site entrance would be approximately 325 feet from New York Avenue NE intersection with the private drive that would serve the overall development.

2302.5 *Except in a C-M or M District, all grease pits or hoists constructed or established as part of a use listed in § 2302.1 shall be within a building.*

No grease pits or hoists would be installed under this proposal.

Based on this review, the application meets the applicable standards for approval.

## **V. AGENCY COMMENTS**

The application was forwarded to DDOT for comments. The agency response may come under a separate cover.

## **VI. COMMUNITY COMMENTS**

OP attended one Advisory Neighborhood Commission (ANC) 3B public meeting where some residents expressed concerns, including ones related to potential safety, light spillage and traffic impacts. According to the applicant, the ANC is scheduled to consider this application again during its meeting on September 10, 2012.