

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Brandice Elliott, Case Manager  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** April 7, 2015  
**SUBJECT:** BZA Case 18977, 3220 Prospect Place, N.W.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 2201.1, Loading (2-30 ft. berths, 2-100 sf. platforms and 1-20 ft. delivery space required, 0-30 ft. berths, 0-100 sf. platforms and 0-20 ft. delivery space proposed).

**II. LOCATION AND SITE DESCRIPTION**

Address	3220 Prospect Place, N.W.
Legal Description	Square 1207, Lots 104, 838, 839, 840, 841, 843, and 906
Ward	2, 2E
Lot Characteristics	The property consists of several lots, creating a 20,640 square foot eight-sided polygon. The lot has 200 feet of frontage along Prospect Street and no alley access.
Zoning	C-2-A – designed to provide facilities for shopping and business needs near low and medium density residential areas, including office employment centers, shopping centers and medium-bulk mixed use centers.
Existing Development	Surface parking lot, permitted in this zone.
Historic District	Georgetown Historic District
Adjacent Properties	To the north, across Prospect Street, is an existing commercial development consisting of restaurants and service uses. To the South, are existing restaurants and retail uses with frontage on M Street. To the east, are residential row dwellings, and to the west, are additional retail and restaurant uses.
Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly commercial in nature. The subject site is located less than 150 feet from both Wisconsin Avenue and M Street, which are vibrant commercial spines in the Georgetown neighborhood. Row dwellings are dispersed in the area as well, creating a mixed-use environment.

**III. APPLICATION IN BRIEF**

The proposed project consists of the development of a two-story, 30,000 square foot commercial retail center, and will include 96 below grade structured parking spaces. The proposed parking spaces essentially replace those that are currently provided in the surface parking lot, and will meet requirements for the proposed retail development. The applicant has not committed to specific retailers, but believes that the location would be appropriate for a clothing retailer, or something similar. The proposed development will comply with all development requirements, with the exception of loading, which will be provided from Prospect Place. The applicant continues to discuss where on-street loading should be located on Prospect Place with DDOT and the ANC; the exact location will be determined through negotiations with all parties and approved by the Public Space Committee.

**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>C-2-A Zone</b>	<b>Regulation</b>	<b>Proposed</b>	<b>Relief</b>
Height § 400	50 ft. max.	34 ft.	None required
Lot Width § 401	Not applicable	200 ft.	None required
Lot Area § 401	Not applicable	20,640 sq. ft.	None required
Floor Area Ratio § 402	1.5 nonresidential 2.5 maximum	1.5 nonresidential	None required
Lot Occupancy § 403	100% max.	85%	None required
Rear Yard § 404	15 ft. min.	15 ft.	None required
Parking § 2101	90 spaces	96 spaces	None required
Loading § 2201	2-30 ft. berths 2-100 ft. platforms 1-20 ft. delivery space	None	<b>Required</b>

**V. OFFICE OF PLANNING ANALYSIS**

**a. Variance Relief from § 2201, Loading**

**i. Exceptional Situation Resulting in a Practical Difficulty**

The applicant has demonstrated that there is an exceptional situation resulting in a practical difficulty. The application notes the following unique characteristics of the property:

- The lot does not have access to a public alley;
- The dimensions of the lot, with a depth of 120 feet and a width of 200 feet, exacerbate the inability to provide loading on-site; and
- The property is located on top of a slab of bedrock.

Since the property has no access to an alley, all loading activities must occur from Prospect Place. The applicant notes that the existing condition of Prospect Place makes it practically difficult to provide loading below grade. In particular, the street is 59 feet wide with parking on the south side

of the street, and informal loading regularly occurs on the north side of the street. The combination of the width of the street and on-street parking makes it difficult for loading trucks to maneuver turns onto the site.

The applicant further contends that the depth of the property, at 120 feet, makes it practically difficult to provide loading below grade. The provision of loading in the proposed garage would reduce the parking from 96 to 50 spaces. While some spaces would be removed to provide area for the loading spaces, others would be lost because of modifications that would be necessary to facilitate truck movements, including a reduced slope of the garage ramp from 15% to 12%, extending the ramp area. Should a third level be provided, only 68 spaces could be accommodated, resulting in the need for a parking variance. The loading could not be located on the third level, as the ceiling heights would need to be higher on all levels to accommodate truck movements, increasing the overall depth of the garage.

The applicant has provided a Geophysical Subsurface Exploration and Analysis Report that identifies the presence of bedrock beneath the site beginning at 25 feet below grade. As a result, excavation of the bedrock would be required in order to provide necessary clearance heights for loading trucks, as well as for a third level of parking. Removal of the bedrock through the use of a hydraulic hammering device would cost two to three times that of non-rock excavation, at approximately \$3-4 million, plus additional costs for time and monitoring, and would cause nuisance to surrounding properties for a prolonged period of time.

#### **ii. No Substantial Detriment to the Public Good**

The requested loading relief should not cause substantial detriment to the public good. The applicant continues to work with DDOT, the ANC and community to determine the final location of loading on Prospect Street. The proposed project would close existing curb cuts on Prospect Street, creating a net gain of street parking while meeting the loading needs for the proposed development.

EastBanc, Inc., a property owner within the square, has filed for party status in opposition to the relief that has been requested, and will have an opportunity at the public hearing to address how it will pose a detriment to the neighborhood.

#### **iii. No Substantial Harm to the Zoning Regulations**

The requested relief should not cause substantial harm to the Zoning Regulations. Loading provided on the street will meet the intent of the Zoning Regulations, ensuring that retailers in the development can be reasonably served with on-street loading, and that said loading will have minimal impact on the surrounding neighborhood. The applicant has indicated that a Loading Management Plan will be provided, which will establish orderly use of the loading space, while meeting the needs of the community.

### **VI. COMMENTS OF OTHER DISTRICT AGENCIES**

As of the date of this report, comments from other District Agencies had not been provided. It is anticipated that DDOT will file a report under separate cover.

## **VII. COMMUNITY COMMENTS**

At its regularly scheduled meeting on March 30, 2015, ANC 2E voted unanimously to recommend approval of the requested relief.

The Citizens Association of Georgetown has submitted a letter indicating that while it is generally supportive of the proposed project, it continues to be concerned about the impact of the development not providing off-street loading spaces.

EastBanc, Inc., a property owner within the square, has filed a party status request in opposition due to concerns that the lack of loading will negatively impact the street and alley traffic surrounding their properties.

Attachment: Location Map

### Location Map

