

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Maxine Brown-Roberts, Project Manager
*J*Joel Lawson, Associate Director Development Review
DATE: July 21, 2015
SUBJECT: BZA Case 19058, 3416 Wisconsin Avenue, N.W.

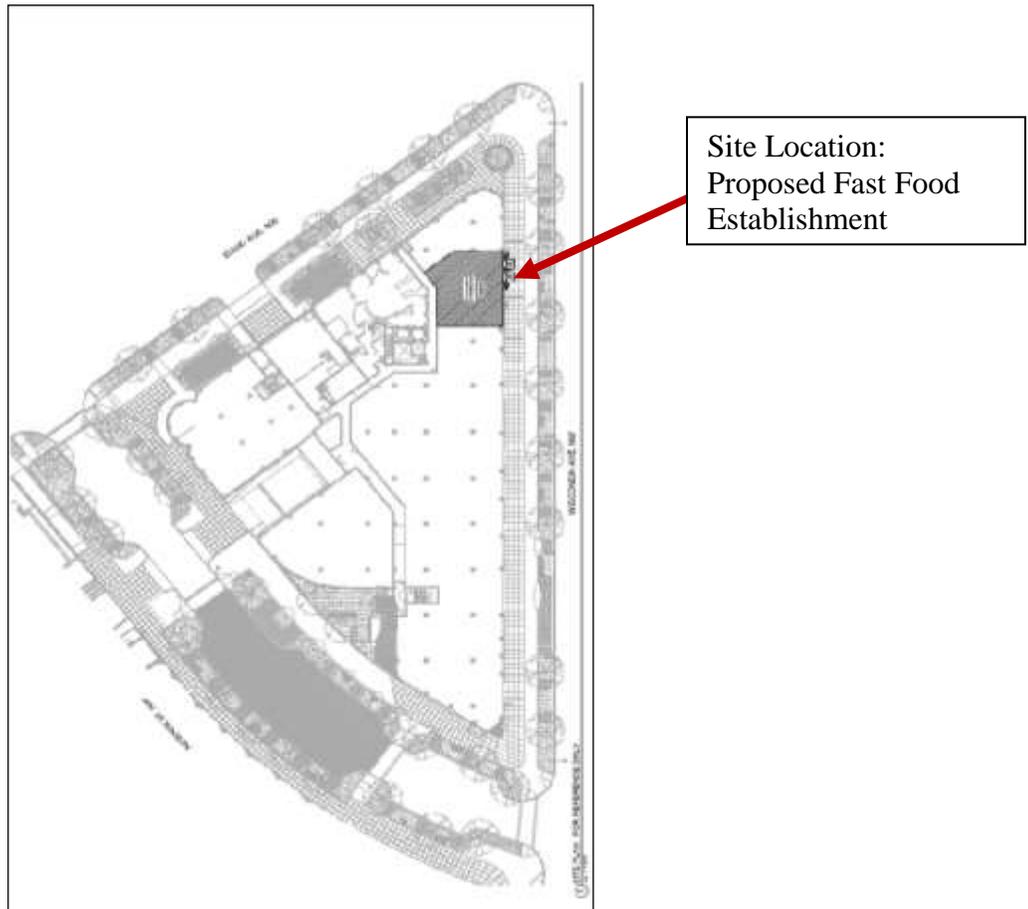
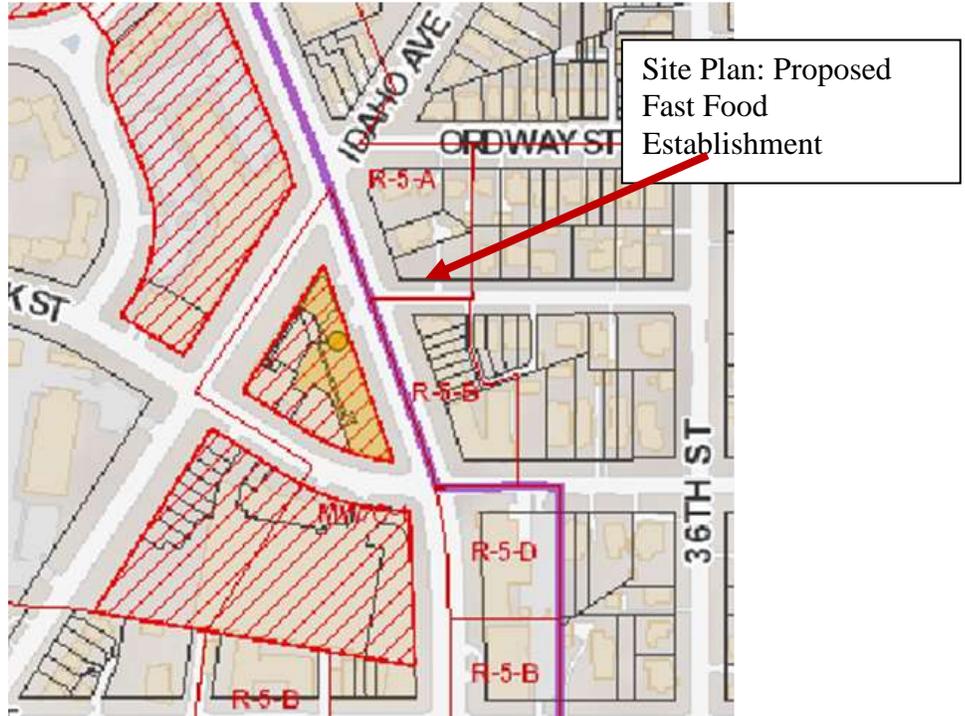
I. OFFICE OF PLANNING RECOMMENDATION

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

- § 721.3(t), Prepared Food Shop in a C-2-A District (18 seats maximum, 28 seats proposed).

II. LOCATION AND SITE DESCRIPTION

Address	3416 Wisconsin Avenue, N.W.
Legal Description	Square 1920N, Lot 800
Ward/ANC	3, 3C
Lot Characteristics	The triangular shaped lot is bounded by Idaho Avenue to the west, Newark Street to the south and Wisconsin Avenue to the east and north.
Zoning	The property is part of ZC 08-15, a PUD with a related Map Amendment to the C-2-A zone. C-2-A – designed to provide facilities for shopping and business needs, housing, and mixed uses, including office employment centers, shopping centers and medium-bulk mixed use centers.
Existing Development	Mixed use building with ground floor retail and 4 stories of residential units.
Historic District	Not applicable.
Adjacent Properties	To the north and northwest, across Idaho Avenue, is a 9- story multi-family residential building with ground floor retail. To the south, is another portion of the Cathedral Commons development with a Giant supermarket and 3-story row houses. To the east, is a mixture of single family detached houses, 3-story rowhouses and a 4-story multifamily building.
Surrounding Neighborhood Character	The area bounded by Wisconsin Avenue Macomb Street and Idaho Avenue is developed with a multifamily, row houses and retail uses. Beyond that area is predominantly single family detached homes and some row dwellings.





III. APPLICATION IN BRIEF

The property, Square 1920N, Lot 800, was the subject of ZC 08-15, a Planned Unit Development (PUD) with a related Map Amendment to the C-2-A zone. The PUD approved retail use for the ground floor of the building and in particular the return of some of the uses which existed on the property prior to its redevelopment.

The applicant has requested special exception relief to allow the prepared food establishment with 28 seats, where 18 are permitted by-right. The proposed coffee shop, Starbucks, currently occupies 1,886 square feet of the retail space near the northern corner of the building and operates under a Temporary Certificate of Occupancy for 18 seats. The plan submitted shows 28 seats being accommodated inside the space. The plan also shows six (6) seats outside within the public space and will be reviewed by the DDOT Public Space Committee.

IV. ZONING REQUIREMENTS and RELIEF REQUESTED

§§ 712.1 and 721.3(t) of the Zoning Regulations requires a prepared food shop in the C-2-A District with more than 18 seats to obtain a special exception. The proposed coffee shop is requesting relief to allow 28 interior seats.

V. OFFICE OF PLANNING ANALYSIS

The applicant request special exception relief pursuant to Sections 721.3(t) and 3104 for a prepared food shop in the C-2-A district.

721.3 (t) *Prepared food shop, except that in a C-2-A District, a prepared food shop with greater than eighteen (18) seats for patrons shall only be permitted by special exception pursuant to 11 DCMR § 712.*

712.1 *A Prepared Food Shop with more than eighteen seats for patrons shall be permitted in a C-1 District as a special exception if approved by the Board of Zoning Adjustment under § 3104 provided that no drive-through shall be permitted.*

The proposal is for a prepared food shop (coffee shop) with seating for 28 patrons that does not have a drive-through.

Special Exception Relief - §3104

a. Special Exception Relief pursuant to § 712 and § 721.3(t), Prepared Food Shop with more than 18 seats in the C-2 District

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposed coffee shop is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The C-2-A District is a mixed-use zone that permits both residential and commercial uses. Coffee shops are typically gathering spots in residential districts and offer goods and services that are often desired by the community. The approved PUD (ZC 08-15, Condition 5) envisioned prepared food shops among other neighboring retail uses (limited to 20 percent of the PUD's linear commercial frontage) on the property.

While the proposed prepared food shop would have 28 seats rather than the 18 permitted by-right, the size of the space is conducive to the number of seats that would be provided, as illustrated in the site plan provided in the submission. In addition, the proposed use would add to the variety of ground floor uses, along this portion of Wisconsin Avenue. OP is therefore supportive of the increase in the number of seats.

ii. Would the proposal appear or tend to affect adversely, the use of neighboring property?

The proposed use will be along a street with a variety of small commercial uses. The proposal would not be directly adjacent to any neighboring properties and the other uses within the building would eliminate or minimize any noise. The coffee shop would operate Monday thru Saturday 5:30 AM to 9:00 PM, and Sundays 5:30 AM to 8:00 PM. Trash removal would be via the rear of the shop, through a passage, to the building's loading and trash area to be collected by commercial trash haulers. Therefore, approval of the requested special exception should not have an adverse effect on neighboring property.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

The application is being reviewed by District Department of Transportation who will file their report under separate cover.

VII. COMMUNITY COMMENTS

The property is within ANC-3C. The application is scheduled to be reviewed by the ANC on July 20. .