

**MEMORANDUM**

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

**FROM:** Anne Fothergill, Case Manager  
*JL* Joel Lawson, Associate Director for Development Review

**DATE:** April 5, 2016

**SUBJECT:** BZA Case No.19140, 412 V St N.E., parking relief for a proposed private club in an existing building in C-M-2

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- § 2101.1 minimum off-street parking (12 required, 0 proposed)

**II. BACKGROUND**

The OP report dated December 8, 2015 (Exhibit 25) was not able to include a recommendation of support, largely because the application was considered incomplete, with missing information and lack of analysis. The applicant has since supplemented the record with additional information, sufficient for OP to evaluate the requested relief from the parking requirement.

**III. LOCATION AND SITE DESCRIPTION**

Address:	412 V St NE
Legal Description:	Square 3621, Lot 0044
Ward:	5
Lot Characteristics:	A rectangular lot of 10,720 square feet
Zoning:	C-M-2 – medium bulk commercial and light manufacturing are allowed in this district; the proposed use change from storage facility to private club is allowed.
Historic District:	None
Adjacent Properties:	Along 5 <sup>th</sup> Street there are predominantly industrial uses but the subject property is located directly across an alley from residential buildings in the R-4 zone along 4 <sup>th</sup> Street and west as well as across V Street closer to 5 <sup>th</sup> Street.



#### **IV. ZONING REQUIREMENTS and REQUESTED RELIEF**

The Applicant is proposing a use change from a storage facility (vacant for 4 years) to a private club within the C-M-2 zone. The subject property currently has 8 non-conforming and unpermitted parking spaces directly in front of the building, which are partially in public space (see photos of existing conditions in Exhibit 8). The Zoning Administrator has determined that the Applicant will need a variance for relief from providing the 12 parking spaces required by the use change for the property. The Applicant provided a Parking Study showing there is sufficient on-street non-residential parking for their needs (Exhibit 33).

#### **V. OFFICE OF PLANNING ANALYSIS OF REQUESTED RELIEF**

##### **a. Exceptional Conditions Resulting in a Practical Difficulty**

The footprint of the building occupies almost the entire property resulting in a practical difficulty for the Applicant to provide the required 12 spaces of off-street parking. There is no space on the

property that is not in the public space where parking could be provided. The Public Space Committee did not allow the Applicant to provide parking in the unpermitted spaces.

**b. No Substantial Detriment to the Public Good**

The building was previously used as a warehouse for storage but has been vacant for four years. The subject property is located in an industrial zone and the Applicant states that there is sufficient on-street parking along Fifth Street at night, when this property would be used. The property is adjacent to residential properties and the Applicant has stated that they will encourage club members not to park in the residential area to minimize impact those neighbors. The Applicant met with the ANC and informed OP that the ANC supports the zoning relief.

**c. No Substantial Harm to the Zoning Regulations**

The building was previously used for storage and is located on a block of other industrial uses. The proposed use change to private club is allowed within the C-M-2 zone. Because the patrons of the club will need to park at night after work hours in an industrial zone, there should be sufficient on-street parking and the proposed zoning relief should not cause substantial harm to the zoning regulations.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

At the time of this report, there were no comments from any other District agency. DDOT has been working with the Applicant and has indicated support for the parking relief; a DDOT report is expected to be filed separately. The Public Space Committee denied the Applicant's request to continue to park vehicles in the public space.

**VII. COMMUNITY COMMENTS**

There were no ANC or other community comments on file at the time of this report but the Applicant met with the ANC and informed OP that the ANC supports the zoning relief.

The applicant provided a letter of support from City Councilmember David Grosso (Exhibit 22).