

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**

February 1, 2016



Meridith Moldenhauer  
Griffin, Murphy, Moldenhauer & Wiggins, LLP  
1912 Sunderland Place, NW  
Washington DC, 20036

Re: 1065 31st Street NW- Square 1198, Lot 819 (the "Property")

Dear Ms. Moldenhauer,

This letter is in reference to discussions I had with you and your colleagues on October 26, November 5 and November 16, 2015, regarding your client's intent to expand the existing Il Canale restaurant at 1063 31<sup>st</sup> Street NW ("Il Canale") into the adjacent Property (the "Project"). As described below, the Project proposes internal renovations only, and does not include a structural addition or an increase to the improvements on the Property. Below, I memorialize the discussion regarding your client's proposed redevelopment of the Property:

The Property is a two-story commercial structure located in the W-1 District. The total gross square footage of the Property is approximately 5,225, with approximately 3,052 g.s.f on the first floor and 2,174 g.s.f. on the second floor. The Property has been used commercially since at least the 1960s, when the Property started to be used as the Cannon's Seafood/ Fishmarket & Raw Bar, a wholesale seafood establishment. Certificates of Occupancy for the Property dating back to 1966 are attached as Exhibit "A". The retail area was located on the first floor. The second floor of the Property has always been in commercial use as an office/storage area. Attached as Exhibit "B" is a letter from the long-term property owner and operator of the fishmarket documenting that the second story had always been in commercial office/storage uses and was never used for residential uses. The Property has no off-street parking spaces. The Property is located in the Georgetown Historic District. In summary, at our meetings, I found the following:

Description of Proposed Project and Subdivision

As represented in the attached architectural plans, Exhibit "C", the proposed Project internal renovations to the Property necessary to expand Il Canale. No structural addition or increases to the existing improvements are proposed. As a result of the addition, all 5,226 s.f. of the Property, which is currently warehouse/commercial use will be devoted to restaurant use. No off-street parking spaces will be provided as part of the Project.

Use:

The proposed restaurant use in the Property is permitted by right in the W-1 Zone District.

1100 4<sup>th</sup> Street, SW 3<sup>rd</sup> Floor Washington, D.C. 20024

Phone: (202) 442-4576 Fax: (202) 442-4871

Floor Area Ratio (F.A.R.)

In the W-1 District, the maximum F.A.R is 2.5, of which no more than 1.0 FAR may be used for other than residential purposes. The proposed Project will be all non-residential and have a F.A.R of 1.8, thereby technically exceeding the 1.0 F.A.R. maximum non-residential requirement. However, because both the first and second stories of the existing building have always been in commercial use, then the expanded commercial/restaurant use is grandfathered and can be continued as proposed in the Project.

Parking

The Property has approximately 5,226 s.f. of existing commercial/wholesale uses and no existing parking spaces. The Certificates of Occupancy identify the first story (approximately 3,065 s.f.) as “wholesale” seafood/establishment. Under Section 2101.1, three parking spaces would have been required for this use (1 space per 1,000 s.f. of wholesale use). The approximately 2,174 s.f. commercial/office space use on the second floor would have required one off-street parking space (in excess of 2,000 sq. ft., 1 for each additional 1,800 sq. ft. of gross floor area). Accordingly, there are four parking space credits on the Property.

The off-street parking requirement for restaurants is calculated as “retail”. Pursuant to Section 2101.1, in the W Zone District, retail parking is calculated as “In excess of 3,000 sq. ft., 1 for each additional 750 sq. ft. of gross floor area.” Accordingly three parking spaces would be required for the Project (5,226 -3000 = 2226/750 = 2.99). Therefore, because the Property has four parking credits from the prior commercial/warehouse uses, there are sufficient parking credits to off-set the number of parking spaces required on-site. Therefore, no additional parking spaces are required, and the Project can proceed as proposed.

Rear Yard

Under 11 DCMR §774.1, the minimum rear yard requirement in the C-2-A is 15 feet. The attached plans show that the proposed structure will have a rear yard of 15 feet 5 ½ inches. Consequently, the proposed project complies with the rear yard requirement.

Conclusion

Based on the attached plans and in conjunction with parking credits that I am approving, the proposed redevelopment of the Property complies with the C-2-A District requirements, and is permitted as a matter-of-right. Accordingly, when you file the plans for a subdivision and building permit, I will approve drawings that are consistent with the plans attached to this letter. Please let me know if you have any further questions.

Sincerely,



Matthew Le Grant  
Zoning Administrator

Attachments: A - COOs for property  
B - Letter from Moore 11-3-15  
C - Proposed Plan Set dated 10-19-15