

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



December 14, 2011

**BY U.S. MAIL & EMAIL** (raguglia@hunton.com)

Richard L. Aguglia, Esq.  
Hunton & Williams LLP  
2200 Pennsylvania Avenue, NW, Suite 900  
Washington, DC 20037

**Re: Availability of Linear Footage on 14<sup>th</sup> St NW for Eating and Drinking Establishments in Square 240**

Dear Mr. Aguglia:

Pursuant to your request and recent meetings with me regarding the availability of 80 linear feet of frontage on 14<sup>th</sup> Street, N.W. for an eating and drinking establishment at 1601/1605 14<sup>th</sup> Street, N.W. (Subject Property), please be advised of the following:

1. The Subject Property, Lot 821 in Square 240 (1601/1605 14<sup>th</sup> Street, N.W.) is in the Uptown Arts Overlay District. As such, it is subject to Section 1901.6 of the Zoning Regulations as that provision relates to eating and drinking establishments, that is, “no portion of an eating/drinking establishment located on the ground floor is permitted to occupy more than fifty (50%) of the linear frontage of each individual square, as set forth below: 14<sup>th</sup> Street, N.W., Square 240”; the square has 391.0 linear feet of total frontage. Accordingly,  $391 \times 50\% = 195.5$  linear feet available for eating and drinking establishments fronting on 14<sup>th</sup> Street, NW in Square 240. At this time, all 195.5 linear feet in this bifurcated square are available for eating and drinking establishments.
2. In accordance with office policy, the amount of linear feet available for eating and drinking establishments in Square 240 (currently 195.5 feet) will be allocated on a first come first serve basis triggered by the filing of a bona fide application for a building permit with plans indicating this proposed use. A bona fide application means one that contains plans which indicate seating arrangements and kitchen facilities consistent with the executed Eating Establishment Questionnaire, attached hereto for reference, a sample menu, and in your case, structural changes needed for the stabilization of the interior demolition and for the next phase of renovations. If you decide to request zoning approval including allocation of the 80 linear feet along 14<sup>th</sup> Street, N.W. for the Subject Property prior to applying to the HPRB for approval of exterior renovations given that



the Subject Property is in the 14<sup>th</sup> Street Historic District, please so notify me at the time of filing the application for a building permit.

In addition, as I advised you at our last meeting, I will inform you of any other applications filed for an eating and drinking establishment in SQ 240 and the linear feet of frontage allocated to that project.

Sincerely, Matthew Le Grant  
Matthew Le Grant

Attachment – Eating Establishment Questionnaire form





Address \_\_\_\_\_

If checked by staff, please provide the following:

- A complete floor plan. Show all floors; label kitchen, storage, seating and assembly areas.
- Photographs of the interior including the kitchen, dining area, assembly areas, queuing area, dishwasher, food-prep area, seating area & dumpsters.
- A copy of the menu, carryout menu & catering menu, if applicable.
- An equipment schedule and clearly label/identify each piece of equipment on the corresponding floor plans.

Signature of Applicant: \_\_\_\_\_

Name

Date

Please check: Agent \_\_\_\_\_ or Owner \_\_\_\_\_

**For Staff Use ONLY:**

Zone: \_\_\_\_\_ Subject to Overlay District? If so, List \_\_\_\_\_

Neighborhood Overlay District compliance with 25% limitation under 1302.5(a):

\_\_\_\_\_  
(Complies or NA)

I have reviewed the completed Eating Establishment Questionnaire, and supporting information if supplied, and have determined, under the applicable zoning definitions, that this Establishment is defined as:

\_\_\_\_\_ Restaurant

\_\_\_\_\_ Fast Food Establishment

\_\_\_\_\_ Prepared Food Shop [Note: Limit of 18 seats in C-1 and C-2-A]

\_\_\_\_\_ Food Delivery Service

\_\_\_\_\_ Catering Establishment

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_  
Zoning Administrator/Deputy/ Engineer Name

\_\_\_\_\_  
Date