

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen J. Mordfin, Case Manager
JLS for
 Joel Lawson, Associate Director Development Review
DATE: November 26, 2018

SUBJECT: BZA Case 19862 (3331-3333 11th Street, N.W. & 1032-1034 Park Road, N.W.) to permit the construction of a 26-unit apartment building

I. OFFICE OF PLANNING RECOMMENDATION

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

- Subtitle G § 405.2, Rear Yard, (minimum 15 feet required; none proposed); and
- Subtitle C § 701.5, Parking, (minimum 4 spaces required; none proposed).

Subject to the following Transportation Demand Management (TDM) related conditions, prior to the issuance of certificates of occupancy, to mitigate the impact of the reduced number of off-street parking spaces:

1. Either Metro fare cards or Capital Bikeshare annual membership to be made available to all initial new tenants by the applicant, as described in the applicant’s Transportation Demand Management Plan.
2. The applicant commits to minimum dollar amount for the prepaid Metro fare cards for all initial new residents.
3. The applicant works with DDOT to designate a suitable location for the provision of the required short-term bicycle parking spaces.
4. The applicant provides one additional long-term bicycle parking space within the cellar of the building.

II. LOCATION AND SITE DESCRIPTION

Addresses	3331 11 th Street, N.W.; 3333 11 th Street, N.W.; 1032 Park Road, N.W.; and 1034 Park Road, N.W.
Applicant	Heights Holding LLC
Legal Description	Square 2841, Lots 95, 96, 98 and 99
Ward, ANC	Ward 1, ANC 1A
Zone	MU-4

Lot Characteristics	Unusually shaped lot fronting two streets with limited rear alley access via a 3.75-foot wide strip
Existing Development	Four row houses, two fronting 11 th Street and two fronting Park Road
Adjacent Properties	North: Across Park Road, row houses and small apartment buildings South and East: Row houses West: Across 11 th Street, WMATA facility
Surrounding Neighborhood Character	Moderate density residential and neighborhood serving commercial uses
Proposed Development	Four-story, 26-unit apartment building

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone: MU-4	Regulation	Existing	Proposed	Relief
Height G § 403	50-foot max.	N/A	50 feet	None Required
Lot Area	None	5,574 sq.ft.	5,574 sq.ft.	None Required
Floor Area Ratio G § 402	2.5 max. 3.00 max. (IZ)	N/A	2.83	None Required
Lot Occupancy G § 404	60% max. 75% max. (IZ)	N/A	71%	None Required
Rear Yard G § 405	15-foot min.	N/A	None	REQUIRED
Side Yard G § 406	None if none provided	N/A	None	None Required
Parking C § 701	1/3 units in excess of 4 and reduced by 50%, or 4 ¹	N/A	None	REQUIRED

IV. OFFICE OF PLANNING ANALYSIS

i. Special Exception Relief from Subtitle C § 703, Special Exceptions from Minimum Parking Number Requirements.

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in number of required parking spaces, subject to the general special exception requirements of Subtitle X, and the applicant’s demonstration of at least one (1) of the following:*

¹ Pursuant to C 702.1(a), parking may be reduced by 50% when located within a half mile of an operating Metrorail station

The application is in conformance with more than one of the following, as described below:

- (a) *Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*

The applicant is unable to either provide parking on-site or within 600 feet of the site. The access to the alley is only 3.75 feet in width, insufficient for vehicular use.

- (b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*

The site is well-served by other means of transportation. It is located 0.1 miles from the nearest shared bike station, 0.1 miles from two Metrobus routes (63, 63 and H8), 0.5 miles from the Georgia Avenue-Petworth Metrorail station and 0.6 miles from the Columbia Heights Metrorail station.

- (h) *The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:*

- (1) *A curb cut permit for the property has been denied by the District Department of Transportation; or*
- (2) *Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;*

The property's access to a public alley is of insufficient width (3.75 feet) to permit vehicular access into the site.

- 703.3 *Any reduction in the required number of parking spaces shall be only for the amount that the applicant is physically unable to provide and shall be proportionate to the reduction in parking demand demonstrated by the applicant.*

The applicant is unable to provide any of the required four off-street parking spaces and has requested a reduction to zero. Although the subject property has alley access, that access is only 3.75 feet in width, insufficient to allow for vehicular access into the property. No curb cuts exist into the site, and the application cites that the DDOT Design and Engineering Manual would not permit curb cuts due to the proximity of the site to the corner of 11th and Park Road.

- 703.4 *Any request for a reduction in the minimum required parking shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.*

The applicant submitted to the file (Exhibit 47) a Transportation Demand Management Plan that includes a listing of four incentives that would be made available to all new residents: Those incentives are:

1. A welcome package of alternative transportation options available;
2. Prepaid Metro cards or a Capital Bikeshare annual membership to all initial new residents;
3. Install a Transportation Information Center Display in the lobby with Metrobus, Metrorail, car-sharing and bike-sharing availability; and
4. Provide long term bicycle parking in the cellar of the building, as required, plus one additional space and will work with DDOT to find a suitable location for the required short-term bicycle parking.

The applicant should commit to a minimum dollar amount for the prepaid Metro fare cards to be made available to all initial tenants to mitigate the impact of reduced parking on the surrounding area.

ii. Special Exception Relief from Subtitle G § 405.2, Rear Yard

1201.1 The Board of Zoning Adjustment may grant relief to the rear yard requirements of this subtitle as a special exception pursuant to Subtitle X, provided

- (a) *No apartment window shall be located within forty feet (40 ft.) directly in front of another building;*

East-facing windows generally would either face brick walls, or not be located directly in front of another building. Windows located closest to those of an adjoining building would be set back from those windows a minimum of 43 feet. Windows on the south side of the building would face into the rear yard of the adjacent property to the south, in excess of forty feet.

- (b) *No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall;*

No office windows are proposed as the proposed structure would be an apartment building.

- (c) *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;*

The proposed building is designed to be generally parallel to the adjacent row houses to the east and south. Only the windows facing south into the courtyard would not be parallel to the adjacent property to the south. However, these windows would face the rear yard of that row house, with no visibility of that structure.

- (d) *Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*

The subject application requests relief from the provision of the four required parking spaces, as described above, and no loading facilities are required because less than fifty units are proposed. The applicant does propose to utilize the 3.75-foot access to the alley for refuse removal.

- (e) *Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.*

No comments were received from any other District agencies and the site is neither located within a historic district nor a historic landmark.

V. COMMENTS OF OTHER DISTRICT AGENCIES

No comments were received from District agencies as of the date of the filing of this report.

VI. COMMUNITY COMMENTS TO DATE

ANC 1A was scheduled to review the application at its regularly scheduled meeting of November 14, 2018.

Twelve letters were submitted to the file in support of the application. (exhibits 32 through 36, and 38 through 44).

Attachment: Location Map

