

**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 19888 (1509-1519 North Capitol Street, N.E.) to permit a 139-unit all affordable apartment building with no loading facilities.

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**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Subtitle C § 901.1, pursuant to Subtitle C § 909.2, Loading Requirements (one 30-foot loading berth, one 100-square foot loading platform and one service/delivery space required; none proposed).

Subject to the following conditions to mitigate the impact of the provision of no loading facilities, as recommended by the applicant's Loading Management Plan dated November 12, 2018 (Exhibit 31):

1. A loading manager shall be designated by the building management, who will coordinate with residents to schedule deliveries, shall direct residents in applying for parking restrictions curbside, and will be on-duty during delivery hours.
2. Residents shall be required to schedule move-ins and move-outs with the loading manager as required by the leasing regulations.
3. No move-ins or move-outs shall occur during peak hour restricted time periods, as emergency no-parking signs for on-street spaces are not permitted during these hours.
4. The loading manager shall coordinate with trash pick-up contractors to minimize the time trash trucks need to use the curbside loading area. Trash shall only be collected curbside during off-peak times, when parking is permitted on North Capitol Street.
5. Trash collections shall utilize the existing curbside parking along the site frontage on North Capitol Street. If this area is occupied with parked vehicles, trash operations shall take place within the existing loading zone on North Capitol Street, immediately south of the site. Both the on-street parking and the loading zone on North Capitol Street are located immediately south of the site and are restricted during morning and afternoon commuting hours. Building management shall utilize rolling dumpsters to transfer waste from the trash room to the waste collection truck.
6. Trucks using the curbside loading zone will not be permitted to idle and must follow all District guidelines and regulations for heavy vehicle operation, including, but not limited to, 20 DCMR Chapter 9, Section 900 (Engine Idling), DDOT's Freight Management and Commercial Vehicle Operations document and the primary access routes listed in the DDOT Truck and Bus Route System.

7. The loading manager shall be responsible for disseminating DDOT’s Freight Management and Commercial Vehicle Operations document to drivers to encourage compliance with District laws and DDOT’s truck routes. The loading manager shall post these documents in a prominent location on-site.

**II. LOCATION AND SITE DESCRIPTION**

Address	1505-1519 North Capitol Street, N.E.
Applicant	SOME, Inc.
Legal Description	Square 668, Lots 41, 67, 809 and 810
Ward, ANC	Ward 5, ANC 5E
Zone	D-5
Lot Characteristics	Five-sided lot with no alley access
Existing Development	Five two-story row houses
Adjacent Properties	North: Gasoline station South: Three-story mixed-use buildings East: residential, institutional and commercial buildings West: Across North Capitol Street, low to mid-rise mixed-use buildings
Surrounding Neighborhood Character	Mixture of residential, office, retail and institutional uses
Proposed Development	14-story 139-unit affordable apartment building

**III. ZONING REQUIREMENTS and RELIEF REQUESTED**

<b>Zone: D-5</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Height I § 540.1	130-foot max.	N/A	130 feet	None Required
Lot Width	None	78.2 feet	78.2 feet	None Required
Lot Area	None	7,722 sq.ft.	7,722 sq.ft.	None Required
Front Build-To I § 540.1	75% of wall within 4 ft. of property line	N/A	100%	None Required
Floor Area Ratio I § 539	No regulation if all residential	N/A	100% residential	None Required
Lot Occupancy I § 202	100% max.	N/A	100%	None Required
Rear Yard I § 205	2.5 in./ft. of bldg. ht. or 27 feet, 1 inch	N/A	27 feet, 1 inch	None Required
Parking I § 543	None if none provided	N/A	None	None Required
Loading I § 213	1 30-foot berth, 1 100-sq. ft. loading platform, & 1 service/ delivery space	N/A	None	<b>REQUIRED</b>

#### IV. OFFICE OF PLANNING ANALYSIS

##### **Special Exception Relief from Subtitle C § 909, Special Exceptions from Loading Requirements**

- i. The Board of Zoning Adjustment may grant, as a special exception, a full or partial reduction of the number of loading berths or service/delivery spaces required by Subtitle C § 901.1 if, in addition to meeting the general requirements of Subtitle X, Chapter 9, the applicant demonstrates that:**
  - (a) The only means by which a motor vehicle could access the lot is from a public street, and provision of a curb cut or driveway on the street would violate any regulation in this chapter, or in Chapters 6 or 11 of Title 24 DCMR; or**
  - (b) The loading berths or service/delivery spaces are required for an addition to a historic resource and providing the required loading facilities would result in significant architectural or structural difficulty in maintaining the integrity and appearance of the historic resource.**

The subject property has no alley access, with frontage along North Capitol Street only. The District Department of Transportation (DDOT), in an email dated September 17, 2018, informed the applicant that it would not support a curb cut at the subject property.

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

The reduction in loading, as requested by the applicant, would allow for what would otherwise be a matter-of-right development within the D-5 zone. As a 139-unit 14-story apartment building, the proposed building would provide for high-density residential development within a zone intended to promote high-density development. The intent of the loading regulations is to ensure building loading does not interfere with adjoining properties and public spaces. The applicant has worked with DDOT on a Loading Management Plan to mitigate the lack of loading, discussed below, such that the intent is achieved.

- iii. Would the proposal appear to tend to affect adversely, the use of neighboring property?**

The proposal to reduce loading should not adversely affect the use of neighboring properties, provided the applicant implements the conditions of approval as recommended by the Loading Management Plan submitted by the applicant, intended to mitigate the impacts of the lack of loading facilities. The applicant relocated the trash room from the north side of the property, as was originally proposed, to the south side (see Exhibit 33C, Sheet 01-B) as requested by DDOT, placing it closer to the North Capitol Street loading zone to minimize the impact of refuse collection from the street to surrounding properties.

## V. COMMENTS OF OTHER DISTRICT AGENCIES

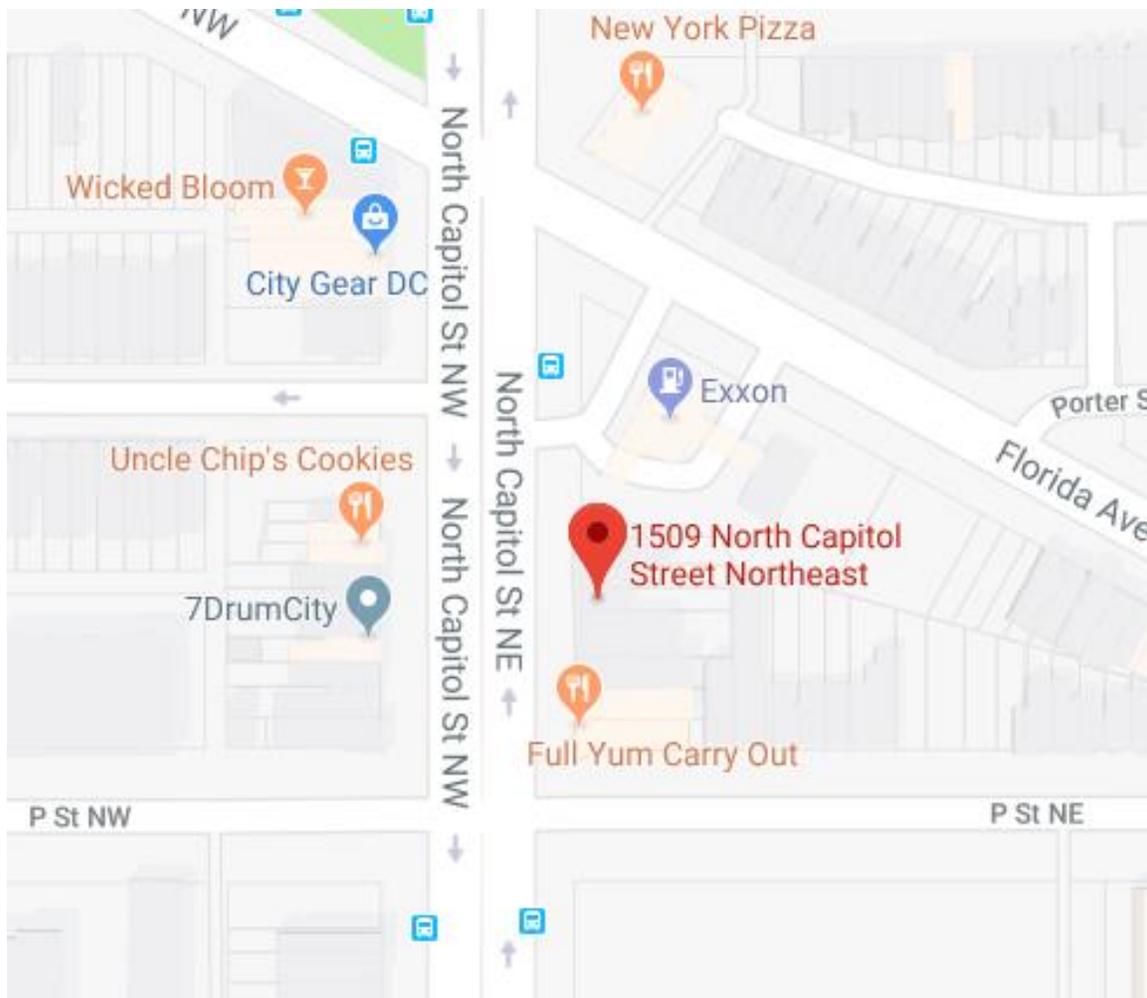
DDOT, in an email to OP dated November 14, 2018, indicated that it had no issues with the application, provided the trash room is relocated to the south side of the property.<sup>1</sup>

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

## VI. COMMUNITY COMMENTS TO DATE

No community comments were received.

Attachment: Location Map



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<sup>1</sup> On November 21, 2018 the applicant submitted revised plans relocating the trash room to the south side of the building (Exhibit 33B).