

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Maxine Brown-Roberts, Project Manager
Joel Lawson, Associate Director Development Review

DATE: February 3, 2015

SUBJECT: BZA Case 18916, Carver Terrace, SE

I. OFFICE OF PLANNING RECOMMENDATION

49th Street Developer LLC (Applicant) requests special exception review under § 353 and § 3104 to allow the construction of a 178 unit apartment building for seniors and 21 for sale row houses at Carver Terrace, SE (Square 5348, Lots 1 to 8) in the R-5-A zone. The property is currently undeveloped. The Office of Planning (OP) recommends **approval** of the special exception request: subject to the provision of the following information:

1. Location of areas where pervious pavers would be used;
2. Labels on plans indicating the materials to be used; and
3. Information as to whether the area of the optional balconies is included in the lot occupancy calculations.

II. LOCATION AND SITE DESCRIPTION

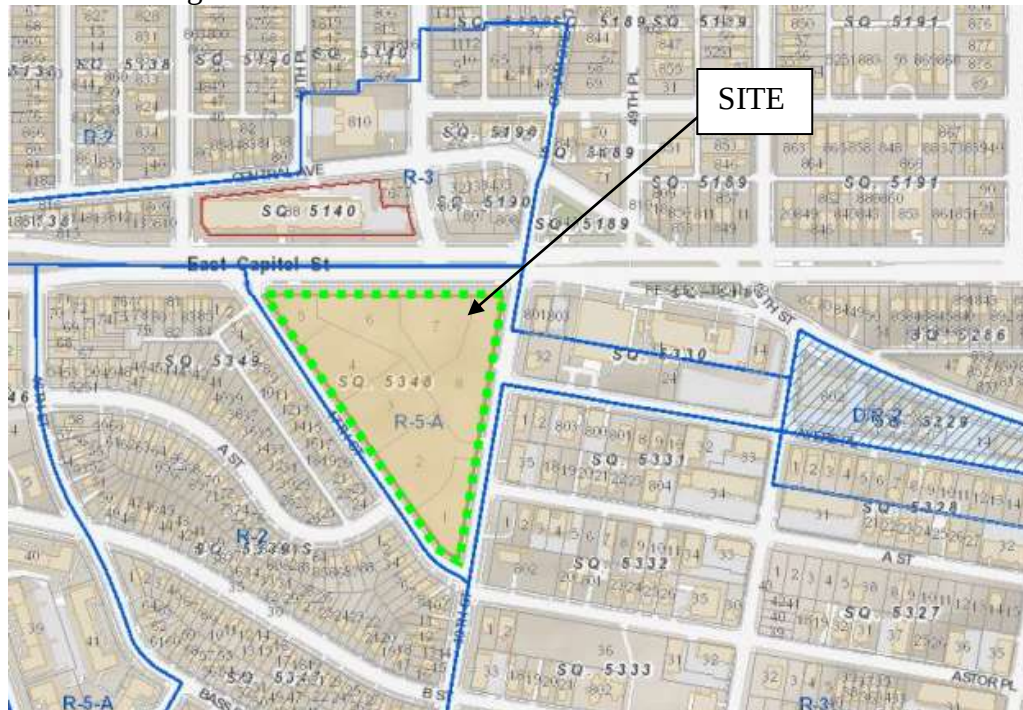
Address	Between East Capitol, 49 th and 47 th Streets, SE
Legal Description	Square 5348, Lots 1-8
Ward/ANC	7/7E
Lot Characteristics	Triangular lot with an area of 141,547 square feet with a grade change of approximately 40 feet between the 47 th and East Capitol Streets end down to the southern 49 th Street end.
Zoning	R-5-A – moderate density residential.
Existing Development	Vacant
Adjacent Properties	North along East Capitol Street: Carver Senior Apartments in the R-5-B zone ¹ and vacant property in the R-3 zone ² . East and southeast along 49 th Street: 3-4-story apartment buildings and single family detached dwellings in the R-2, R-3 and R-5-A zones. West and southwest along 47 th Street: two story duplexes in the R-2 zone.
Surrounding Neighborhood Character	Residential, including one-family detached, semi-detached, and garden apartments.

¹ Zoned R-5-B through ZC 04-04A, a PUD and related Map Amendment (underlying is R-3 zone)

² Property to be developed by Applicant as a matter-of-right under the R-3 zone.



Site Location and Zoning



Aerial Photograph



III. PROPOSAL

The Applicant is proposing a development with a three-story, 178 unit rental apartment building for seniors (Lot A) and 21, for sale, row houses (Lots B-V) as shown on the Site Plan below. All the units would be affordable to families with incomes at or below 80% of the Area Median Income (AMI). The apartment building would consist of 171, one-bedroom units and 7, 2 bedroom units. The building would front on 47th Street and East Capitol Street with a plaza area at their intersection with the main entrance into the building along 47th Street.

The apartment building would encircle an internal courtyard to provide light and air to the units as well as provide a secured recreational area for the residents of the building as well as for the rowhouse residents. Amenities for the seniors, internal to the building, would include a community area, lounge areas, a coffee bar, a media room and theatre space. A community garden to the rear of the apartment building and the rowhouses would serve all the residents of the development.

The 21 rowhouses would be located on the southern portion of the property front of 47th and 49th Street and consist of a "Type A" and "Type B" units. There would be 7 Type A units along 47th Street and would be 3 stories high, 2-bedrooms (with the possibility of a third in the basement), and one legal parking within the building and accommodation for a second on the driveway. There would be 14 Type B units fronting on 49th Street and would be two-stories high, 3 bedrooms and 2 parking spaces within the building.

Site Plan



IV. ZONING REQUIREMENTS and REQUESTED RELIEF

The proposed buildings would comply with all zoning requirements, as noted in the tables below. A multifamily building in the R-5-A zone requires BZA review, pursuant to § 353.

Apartment Building (Lot A)

R-5-A Zone	Regulation	Proposed	Relief
Height § 400	40 ft. max.	36.7 feet	None required
Floor Area Ratio § 402	0.9 1.08 (IZ)	1.08	None required
Lot Occupancy § 403	40% max.	35%	None required
Rear Yard § 404	20 ft. min.	80 feet	None required
Side Yard § 405	8 ft. min.	40.5 feet	None required
Open Court § 405	4 ins./ft. of height of court but not less than 10 feet	27 ft x 28 ft. (north) 23 ft. x 11 ft. (southeast)	None required
Closed Court § 405	18 ft. x 23.4 ft (not less than 350 sf.)	40 ft. x 186 ft.	None required
Loading § 2201	Loading berth: 1 @55 ft. Platform: 1 @ 200 sf. Service delivery: 1 @ 200 ft.	Loading berth: 1 @55 ft. Platform: 1 @ 200 sf. Service delivery: 1 @ 200 ft.	None required
Parking § 2101	1 space per unit or 30	120 spaces	None required
Bicycle Parking (DDOT)	1 space per 3 units	65 spaces	None required
GAR § 3401	0.40	0.40	None required

Rowhouses (Lots B, C, D, E, F, G and H)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	1,852.5 sq. ft.	None required
Lot Width	No minimum	19.5 ft.	None required
Height § 400	40 ft./3 stories max.	21.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.8	None required
Lot Occupancy § 403	40% max.	40%	None required
Rear Yard § 404	20 ft. min.	38 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	2	None required

Rowhouses (Lots I, J, K and L)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	1,855sq. ft.	None required
Lot Width	No minimum	19.5 ft.	None required
Height § 400	40 ft./3 stories max.	25.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.8	None required
Lot Occupancy § 403	40% max.	40%	None required
Rear Yard § 404	20 ft. min.	26 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	2	None required

Rowhouse (Lot M)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	1,872 sq. ft.	None required
Lot Width	No minimum	19.5 ft.	None required
Height § 400	40 ft./3 stories max.	23.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.8	None required
Lot Occupancy § 403	40% max.	39.6%	None required
Rear Yard § 404	20 ft. min.	20 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	2	None required

Rowhouse (Lot N)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	2,060 sq. ft.	None required
Lot Width	No minimum	19.5 ft.	None required
Height § 400	40 ft./3 stories max.	23.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.7	None required
Lot Occupancy § 403	40% max.	35.9%	None required
Rear Yard § 404	20 ft. min.	22 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	2	None required

Rowhouse (Lot O)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	2,301 sq. ft.	None required
Lot Width	No minimum	19.5 ft.	None required
Height § 400	40 ft./3 stories max.	23.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.6	None required
Lot Occupancy § 403	40% max.	32.5%	None required
Rear Yard § 404	20 ft. min.	20 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	2	None required

Rowhouses (Lots P, Q, R, S, T, U and V)

R-5-A Zone	Regulation	Proposed	Relief
Area	No minimum	1,860 sq. ft.	None required
Lot Width	No minimum	15.5 ft.	None required
Height § 400	40 ft./3 stories max.	21.5 ft./2 stories max.	None required
Floor Area Ratio § 402	0.9/1.08 (IZ)	0.8	None required
Lot Occupancy § 403	40% max.	35%	None required
Rear Yard § 404	20 ft. min.	49 feet	None required
Side Yard § 405	None	None	None required
Parking § 2101	1 space per unit	1	None required

The plans of the row houses show an optional rear deck. However, the Applicant has not addressed if the lot occupancy of each unit included the optional rear deck. In most of the cases, the addition of a deck may make the unit non-conforming to lot occupancy and the property owner would need a special exception for the addition. The applicant should address whether or not the optional deck is included in the lot occupancy.

V. OFFICE OF PLANNING ANALYSIS

Under § 353.1, all residential developments, except those composed entirely of one-family detached or semi-detached dwellings, are subject to special exception review by the Board of Zoning Adjustment in accordance with § 3104.

Special Exception Relief pursuant to § 353

- 353.1 *In R-5-A Districts, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under § 3104 in accordance with the standards and requirements in this section.*
- 353.2 *The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.*

No comments were received from the Board of Education. The apartments would be for seniors and not expected to generate many school aged children and it is envisioned that approximately 53 students could be generated from the 21 rowhouses. It is envisioned that there would only be a minimal effect on the public school system. The closest schools are the Nalle Elementary School, Kelly Miller Middle School, HD Woodson High School and the Maya Angelou Public Charter School.

- 353.3 *The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.*

DDOT informed the Office of Planning that there is some concern regarding the number of parking spaces and traffic generation proposed for the apartment building. These issues will be addressed in their report. No comments were received from the Department of Housing and Community Development (DHCD). However, the Applicant has been working with DHCD on the proposed development.

- 353.4 *The Board shall refer the application to the D.C. Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures, and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the future residents of the project and the surrounding neighborhood.*

The applicant states that the exterior materials on the buildings would include Face Brick, Fiber Cement Panels, Fiber Cement lap Siding, Precast Lintels and Sill, and Architectural Metal Panels. These materials should be shown and identified on the elevations provided. These proposed materials on the façade of the apartment and the rowhouses would be similar to the material used on the apartments, single family and duplex units in the area. The apartment building would include areas of bright orange to enliven the brown brick of the building façade. The design of the rowhouses would incorporate many of the elements of the existing single family units and duplexes in the area such as the two to three stories in height, front porches and parking in the rear. The apartment would be viewed from all adjacent streets and so the applicant has fully developed all sides of the building. Neither the apartment building nor the row houses would block the light and air of the adjacent residences because in addition to the separation provided by the roadway, there is a 15-foot building restriction line along 47th and 49th Streets.

The apartment building is required to provide 30 parking spaces but the proposal would provide 120 spaces. The Applicant has stated that this is necessary to provide for the residents as well as visitors to the property and negate the need to park on adjacent streets. The development would also provide 65 bicycle spaces inside the apartment building. The assessment of the number of parking spaces and the traffic generation will be provided by DDOT under separate cover.

The development is enhanced by an entry plaza at the intersection of East Capitol Street and 47th Street that would help to enliven the intersection. The new sidewalks around the buildings would provide for more pedestrian activity as well as provide a more pleasant walk to the Benning Road Metro Station which is approximately 0.3 mile west of the site.

The apartment building would encircle an internal courtyard to provide a secured recreational area for the residents of the building as well as for the rowhouse residents. Amenities for the seniors, internal to the building, would include a community area, lounge areas, a coffee bar, and media room and theatre space. A community garden to the rear of the apartment building and the rowhouses would serve all the residents of the development. The development would also be located in the vicinity of the Benning Stoddert Recreation Center, Fort Circle and Fort Mahan parks.

The proposed landscape plan provides for a combination of shade trees, ornamental trees and shrubbery along the street as well as around the buildings. The Applicant has stated that pervious paving would be used on the site but has not indicated on the plans the areas on which it would be used. The Applicant has been requested to provide this information.

The subject site is a triangular lot which has a grade change of approximately 40 feet between the high end at 47th and East Capitol Streets and the lower southern end at 47th and 49th Streets. To accommodate the development, there would be some grading. However, the grading would be minimized to generally retain the changes in the topography of the site.

353.5 In addition to other filing requirements, the developer shall submit to the Board with the application, four (4) site plans and two (2) sets of typical floor plans and elevations, grading plans (existing and final), landscaping plans, and plans for all new rights-of-way and easements.

The Applicant has submitted the required plans.

3104.1 Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. Bulk, parking spaces and building heights conform to the provisions of the R-5-A zone. The building plans show that the lot occupancy of the rowhouses range between 32% and 40%. The plans also show that there is an option of balconies on some of the units. OP has requested that the Applicant provide information as to whether the area of optional balcony has been included in the lot occupancy calculations.

Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposal would not appear or tend to affect adversely the use of neighboring property. At a height of three and two stories, the proposed building would be consistent with the existing two and three-story building surrounding the site. Yards as required would be provided, providing for light and air between the properties.

VI. COMMUNITY COMMENTS

The property is within ANC-7E. The Applicant stated that they have had meetings with numerous residents and a meeting is scheduled for January 28, 2015. To date, not meeting has been scheduled with the ANC.