GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF PLANNING

Office of the Director

D.C. OFFICE OF ZONING
RECEIVED
2001 MAY 23 PM 3:21

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman
Director

DATE: May 23, 2001

BZA
Case No. 16705
Exhibit No. 34

SUBJECT: BZA Application 16705

APPLICATION
Stanton Road Housing LLC is requesting the following zoning relief in accordance with Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning, to allow the construction of Hillsdale Heights Townhouse development Phases II (portion) and III:

- variances from the floor area ratio (FAR) and lot occupancy requirements in R-5-A under Sections 402.4 and 403.2, respectively, pursuant to Section 3103.2;
- a special exception to allow the proposed row house development in an R-5-A zoning district under Section 410; and
- a special exception for a "theoretical" subdivision to create twelve tax lots on portions of three adjacent record parcels, zoned R-5-A and R-4, under Section 2516.5 pursuant to Section 3104.1.

SUMMARY RECOMMENDATION
The Office of Planning recommends conditional approval of:

- A variance increasing the FAR limit on certain properties zoned R-5-A by 0.1 to 1.0.
- A variance increasing the maximum lot occupancy on certain properties zoned R-5-A from 40% to 50%.

The condition is that these variances only apply to the lots listed in Exhibit 9. OP further recommends approval of:

- A special exception for row house development on properties zoned R-5-A and R-4.
- A special exception for a "theoretical" subdivision to create twelve tax lots on portions of three adjacent record parcels zoned R-5-A and R-4.

Board of Zoning Adjustment
District of Columbia
CASE NO.16705
EXHIBIT NO.34

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OFFICE OF PLANNING

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MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Andrew Altman, Director
Office of Planning

DATE: May 23, 2001

SUBJECT: Waiver of Rules for Late Submittal of the Report on a Request from Stanton Road Housing LLC for zoning relief pursuant to Title 11 of the District of Columbia Municipal Regulations (DCMR), Zoning, for a proposed row dwelling subdivision located at Stanton Road and Howard Road, S.E. - Board of Zoning Adjustment Case BZA 16705

The attached report from the Office of Planning, concerning a request for special exceptions to allow a proposed row house development and theoretical subdivision in an R-5-A zoning district under Sections 410 and 2516.5, respectively, pursuant to Section 3107.2, and variances from the floor area ratio (FAR) and lot occupancy requirements in R-5-A under Sections 402.4 and 403.2, respectively, pursuant to Section 3108.1, is being submitted less than 7 days prior to the Board of Adjustment (BZA) Public Hearing. The Office of Planning respectfully requests that the Board waive its rule and accept the report into the record.

Attachment: A/S

SITE AND AREA DESCRIPTION

This development proposal involves portions of lots 8, 64, 65 and 66 at the southeast end of Square 5870 (refer Exhibit 1). These adjacent lots, bounded by Howard Road to the northeast, Stanton Road to the southwest, and Pomeroy Road, S.E., to the southeast, are part of a 3.1-acre tract formerly occupied by the Howard Gardens Apartments. The applicant acquired the four apartment buildings and 98 (mostly vacant) rental apartments in 1995. The tract was subsequently cleared and additional property acquired to develop the proposed Hillsdale Heights Townhouse development consisting of 56 row houses (refer to Exhibit 2). Phase I construction is nearing completion, and final grading is underway for the referenced construction phases. Together, the subject properties form an irregular site that slopes from the southeast corner to the south and west, with a total area of 72,457 square feet (approximately 1.66 acres). Ingress/egress is possible from the three adjacent roads, and the properties are split-zoned R-4 (from Pomeroy Road, S.E., west for a distance of 160') and R-5-A.

Surrounding development is primarily medium-density residential and institutional. Properties to the northwest, across Howard Road, S.E., are developed with two-story masonry row houses and two-family dwellings zoned R-4. Across Pomeroy Road, S.E., to the southeast, is the Garnett C. Wilkinson Elementary School and undeveloped land zoned R-3. To the west, across Stanton Road, S.E., are a single-family residence, two churches, and a two-story masonry apartment complex (apparently being renovated into condominiums). These properties are zoned R-4 and R-5-A.

Phase I construction northwest of the subject property includes eight row houses along Howard Road, eight dwellings along Stanton Road, and the west end of a network of the private alleys that will serve the development. Beyond the northwest project boundary is a single lot that occupies this end of the square developed with a two-story commercial building. The second floor dry cleaning and grocery store establishments anchor a neighborhood shopping center while the lower level is occupied by a service use. These properties are zoned C-1.

All the properties are located in the Hillsdale neighborhood.

APPLICANT'S PROPOSAL

The applicant, Stanton Road Housing LLC (a.k.a., Hillsdale Heights Collaborative), is a consortium of organizations interested in redeveloping the neighborhood. Members include Banc of America Community Development Corporation, St. John CME Church, Macedonia Baptist Church, East of the River Development Corporation, among others. The consortium chose four "major problem" properties to concentrate on including the Howard Gardens Apartments.

In their Statement of Justification, that applicant refers to a master plan developed during a community design charette in 1994. In subsequent conversations, the applicant explained that the community adopted this master plan as the basis for redeveloping the surrounding area in general and the subject property in particular. In terms of housing design, the community expressed a strong preference for two- and three- bedrooms dwellings with sufficient space and amenities (i.e., more than one bathroom) to support growing families. The resultant model

dwellings are of masonry construction, with two and three relatively spacious bedrooms, and two and one-half baths. The applicant also identified secure on-site parking as an issue and added a first-floor one-car garage. The result is a three-level model (two-story residence atop an unfinished garage) with a maximum floor area of 1,920 square feet. Note that the garage is partially underground due to the sloping site and garage entrances are oriented to the rear facades. These models would be employed throughout the development site except on proposed lots 42-48 (these lots would slope away from the front dwelling facades).

The Hillsdale Heights Townhouse project is being developed in three phases. Phase I construction involves lots zoned C-1 resulting from a previous subdivision approval (refer to Exhibit 3). Phase II construction east of the subject property, on eight lots along the Pomeroy Road and seven lots along Howard Road, S.E., in eastern corner of the development, would also proceed as a matter-of-right in the R-4 zoning district (refer to Exhibits 4 & 2, respectively). However, the applicant is requesting the Board of Zoning Adjustment (BZA) approval of zoning relief for the proposed mid-block construction.

Final construction phases would provide 25 more dwellings, thirteen along Howard and Stanton Roads (refer to Exhibit 5), a new private street between Howard Road and Stanton Road, S.E., and would extend the alley network east to Pomeroy Road, S.E. The remaining twelve dwellings would be constructed east and west of the private road. The northern end of this new road would form an intersection with 15th Street, S.E., however the southern end would not align with any existing public right-of-way. Proposed alleys are necessary to provide vehicular access to all the rear-entry garages.

However, before the final construction phases can begin, several inconsistencies must be addressed:

- The subject property is zoned R-4 and R-5-A.
- The Zoning Regulations require approval of a special exception for townhouse construction on R-5-A.
- Proposed mid-block dwellings on lots 30-34 & 42-48 would not be located on a public right-of-way as required by the Zoning Regulations. For that reason, a special exception would be needed to allow a theoretical subdivision that would create individual tax lots for townhouse construction along the proposed private road (refer to Exhibit 6).
- Interior townhouse lots 18-22, 25-28 & 31-33 are smaller than the end lots. Constructing model dwellings on these smaller lots would exceed the allowable FAR and lot occupancy, therefore variances would also be needed from these provisions.

In the statement of justification, the applicant stated:

- Special Exception relief:
  - The proposal for a special exception for a townhouse development in R-5-A meets the requirements of the zoning regulations.

- Variance relief:
  - The irregular topography, shape of the site and the zoning pattern create a unique set of circumstances.
  - Marketing considerations and "identified neighborhood needs" led the applicant to provide one-car garage on the lower level of each proposed dwelling. The most practical approach was to orient the garage entrance to the interior of the site (because of undulating adjacent streets). Private alleys at the rear of each dwelling would provide vehicular access.
  - The existing regulations present a "practical difficulty" to providing this garage and the related rear access.
  - This proposal would not "adversely impact the intent, purpose and integrity of the zoning regulations."

In comments referenced above, the applicant also noted that the proposed development reflects a master plan adopted by the community, and the model dwellings reflect the characteristics the community identified as needed. Community residents confirmed these statements.

Floor area ratio and lot occupancy computations by a licensed engineer, a reduced set of architectural plans, and site and landscaping plans were provided with the application.

EXISTING ZONING AND RELIEF REQUESTED
The subject properties are zoned R-4 and R-5-A.

Section 330.5 of the Zoning Regulations lists "Row dwelling" as a use permitted as a matter of right in R-4. However, Section 353 requires BZA review of all new residential developments in R-5-A districts, "except those comprising all one-family detached and semi-detached dwellings", subject to the requirements under Section 410.

Zoning Regulations also provide the following standards for lots created under these zoning categories (listed by zoning district with dimensions from the development plan). Proposed lots 42, 43, 44, 45, 46, 47 and 48 would be zoned R-4 (note that dwellings on these lots have slightly larger first and second floors and no basement). Lots 17, 18, 19, 20, 21, 22, 23, 30, 31, 32, 33 and 34 would be zoned R-5-A.

Zoning District Standard		Minimum Requirement	Proposed Plan	Variance Required
Lot Area	R-4	1,800 s.f.	1,802 s.f. (smallest)	N/A
	R-5-A	BZA prescribed	1,186 s.f. (smallest)	N/A
Lot Width	R-4	18 feet	20 feet (smallest)	N/A
	R-5-A	BZA prescribed	20 feet (smallest)	N/A
Lot Occupancy (max.)	R-4	40%	38% -39%	N/A
	R-5-A	40%	29%-53%	Variance
Floor Area Ratio	R-4	No limit	0.76-0.78	N/A
	R-5-A	0.9	0.67-1.18	Variance

Zoning District Standard	Minimum Requirement	Proposed Plan	Variance Required
Parking Spaces R-4 and R-5-A	1 per dwelling	1 (garage or parking pad)	N/A
Loading Berths	N/A	N/A	N/A
Front Yard R-4 R-5-A	20 feet 20 feet	20 feet 9-20 feet	N/A Variance
Rear Yard R-4 and R-5-A	20 feet	20+ feet	N/A
Side Yard R-4 and R-5-A	N/A	N/A	N/A
Court, Open	N/A	N/A	N/A
Court, Closed	N/A	N/A	N/A
Height (max.) R-4 and R-5-A	40 feet	34 feet	N/A

The referenced front yard requirement is based on Section 2516.5 (b) (refer to the Analysis below). Under Section 401.6 of the Zoning Regulations, each new lot created to be used and occupied by a row dwelling shall have frontage along (an improved) street equal to 40% of the required minimum width of the lot or at least fourteen feet. None of the lots proposed within the interior of the square would front on a public street.

Based on this information, it was determined that:

- The proposed residential use is permitted in R-4 and R-5-A (subject to condition).
- Development of new residential uses in R-5-A requires BZA review (special exception).
- Variances would be needed from the lot occupancy requirement.
- Variances would be needed from FAR limitation and front yard requirement of 20 feet for the lots zoned R-5-A.
- Zoning relief is needed because some of the proposed lots would not front on a public street or right-of-way.

ANALYSIS
The applicant's proposal is subject to the following provisions of the Zoning Regulations.

Section 3103.2 grants the Board of Zoning Adjustment (BZA) the power to grant variances from regulations set forth under the Zoning Act "[w]here by reason of exceptional narrowness, shallowness or shape of a piece of property at the time of the original adoption of the regulations, or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under D.C. Code Ann. §§5-413 to 5-432 (1981) would result in peculiar and extraordinary practical difficulties to or exceptional and undue hardship upon the owner of the property, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the difficulties or hardship; Provided the

relief can be granted without substantially impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map."

The zoning relief requested consists of "area" variances, requiring that circumstances surrounding each request are "unique" and that the usual application of the referenced zoning regulations would result in "peculiar and extraordinary practical difficulties."

Section 3104.1 grants the Board of Zoning Appeals (BZA) the authority "to grant special exceptions where in the judgment of the Board, those special exceptions will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps."

A special exception for the row house development in R-5-A is subject to the standards and requirements under Sections 353 and 410, and the requirements for a theoretical subdivision are listed under Section 2516.

Compliance with Section 3103.2:
There are several characteristics that make this development proposal unique: the irregular topography and shape of the development site, and the fact that the development site comes under two zoning districts. According to the applicant, dwelling design and siting also conform with community desires as expressed in the adopted master plan.

Models developed by the applicant can be constructed without zoning relief around the perimeter of this subdivision because: the lots to the west are zoned C-1 and allowed a 1.0 FAR and 60% lot occupancy; and lots to the east in R-4 zoning along Pomeroy and Road, S.E., have sufficient area. Difficulties associated with building dwellings on the interior lots under the current regulations are as follows:

Floor area ratio: If the garage level were eliminated (reducing the floor area to between 1,280 and 1,414 square feet), the dwellings would meet the FAR requirement on all but the smallest parcels (lots 30-34). However, providing secure resident parking was identified as a need and a lower level garage is a preferable option to a gated community (not suggested by the applicant).

Providing the necessary vehicular circulation reduces the space available in the interior the square. The provision of (visitor) parking spaces along the west side of the private street also reduces the available acreage.

Staff supports applicant efforts to meet identified community needs and to provide a consistent housing product across the development site. The overall development plan does provide some common open space, behind dwellings being constructed under Phase I, that could be shared by residents living on lots 30-34. However, the size of these lots appears inadequate for the model dwelling, regardless of the cause.

Therefore, since the housing product would be consistent across the proposed development (except for the noted lots), OP supports a variance increasing the maximum FAR by 0.1 to 1.0 (consistent with the adjacent C-1 zoning district) for those lots requiring relief. Lots that cannot meet this revised requirement should be adjusted accordingly.

Lot occupancy: The model footprint exceeds the allowable maximum on most of the proposed lots. However, this size largely reflects the provision of adequate interior sleeping and living spaces in response to the community. For many of the same reasons listed above, OP supports a variance increasing the maximum lot occupancy from 40% to 50%. Accordingly, lots that cannot meet this revised requirement should be adjusted.

Therefore, strict application of the referenced regulations, as adopted, would result in "peculiar and extraordinary practical difficulties" with regard to the proposed Phase III development. Under these unique circumstances, the listed variances could be granted "without substantially impairing the intent, purpose and integrity of the zone map as embodied in the Zoning Regulations and Map."

Front yard: Zoning Regulations require front yards in a theoretical subdivision that at least equal the rear yard requirement, which in this case twenty feet. Only the five smallest lots would not meet this requirement. Staff believes that the front yard is an important amenity on each lot and thinks that sufficient yard can be provided as a result of the referenced adjustments. Therefore, OP does not recommend a variance from this requirement.

Compliance with Section 353
This section required that a request for a row house development be referred to the DC Board of Education, Office of Planning and Department of Public Works for comment (refer to Agency Comments below). These requirements have been met.

Compliance with Section 410
The requirements under this section include:

> "410.4 No rear or service entrance shall abut a street, front yard, or front court unless below the main floor.
>
> ...
>
> 410.5 No exterior stairway shall be constructed above the level of the joists of the main floor unless located entirely within the building area.
>
> ...
>
> 410.12 In the R-5-A and R-4 districts, if approved by the Board of Zoning Adjustment, a group of one-family dwellings, flats, or apartment houses, or a combination of these buildings, *with division walls from the ground up or from the lowest floor up,* may be erected and be deemed a single building for the purpose of this title, when the group does not comply with the provisions of §§410.1 through 410.11, subject to the following conditions:

(a) The provisions of §§410.4 and 410.5 shall be complied with; and
(b) The erection of the group of buildings shall not affect adversely the present character or future development of the neighborhood."

Proposed Phase III development would meet these conditions.

Compliance with Section 2516
A principal concern is whether this proposal is consistent with the intent of the Zoning Regulations.

The subject property is predominantly zoned R-4 and R-5-A. The R-4 district is designed to include those areas primarily developed with row houses. R-5 is designed to allow all types of urban residential development as long as they conform to the bulk requirements under the Zoning Regulations. Although R-5-A is designated for low height and density development, other types of residential development may be allowed by the BZA. In this instance, the R-5-A district is a narrow strip located between two higher-intensity residential districts, R-4 and C-1.

Since residential development surrounding the site is primarily row dwellings and apartments, the proposal is a phase of an overall development predominantly zoned R-4 and C-1, and the purpose of R-5 zoning is to provide land-use flexibility, this proposal appears to be consistent with the intent of the zoning regulations.

Compliance with Section 2516
The referenced provisions of the Zoning Regulations allows the Board of Zoning Adjustment (BZA) to approve the erection of two or more principal building or structures on a single record lot (i.e., a "theoretical subdivision"), subject to the following:

Section 2516.2 **"The provisions of this section shall apply to construction on a lot ... located within ... twenty-five (25) feet of a residential district ...".** The subject properties meet this requirement.

Section 2516.3 **"In addition to other filing requirements, the applicant shall submit to the Board ... four (4) site plans, for all new rights-of-way and easements, and existing and preliminary landscaping and grading plans with approximate building footprints; ...".** Said plans were submitted.

"... **Provided, that the following requirements are met:** ...

(b) If the applicant elects to submit the plans referenced in §2516.3 (at) a later date (final landscaping and grading plans)**, the Board's original approval shall be conditioned, subject to a later public hearing and final approval on the project as a whole."** Based on the OP recommendations, the Board may need to incorporate revised plans (reflecting any changes to the proposed lots) into the record at a later meeting.

Section 2516.4 **"The number of principal buildings permitted by this section shall not be limited; Provided, that the applicant for a permit to build submits satisfactory evidence that all requirements of this chapter (such as use, height, bulk, open spaces around each building, ...) and §§3202.2** (requirements for a site plan or City plat) **and 3202.3** (location of buildings on a separate lot of record) **are met."** Plans appear to meet all the stated requirements, and each building would be on a separate tax lot. The final site plan or plat would normally be provided with the building permit.

Section 2516.5 **"If a principal building has no street frontage, ... the following provisions shall comply:**

- **(a) The front of the building shall be the side upon which the principal entrance is located; ..."** This site plan appears to show this orientation.
- **"(b) Open space in front of the entrance shall be required that is equivalent either to the required rear yard in the district in which the building is located or in the distance between the building restriction line recorded on the records of the Surveyor of the District of Columbia for the subdivided lot and the public space upon which the subdivided lot fronts, whichever is greater;**
  Front yards on lots 30-34 do not meet this standard.
- **(c) A rear yard shall be required; and ..."** The rear yards meet the zoning requirements.
- **(d) If any part of the boundary of the theoretical lot is located in common with the rear lot line of the subdivided lot of which it is a part, the rear yard of the theoretical lot shall be along the boundary of the subdivided lot."** This requirement doe not apply.

Section 2516.6 **"In providing for the net density pursuant to §2516.11, the Board shall require at least the following:**

- **(a) The area of land that forms a covenanted means of ingress or egress shall not be included in any theoretical lot, or in any yard that is required by this title; ..."** The access roadway would be outside of and separate from dwelling parcels.
- **"(b) Notwithstanding any other provision of this title, each means of vehicular ingress or egress to any principal building shall be twenty-five (25 ft.) in width, but need not be paved for its entire width;**
- **(c) If there are not a least two (2) entrances and/or exits from the means of ingress or egress, a turning area shall be provided with a diameter of not less than sixty feet (60 ft.); and**
- **(d) The requirements of paragraphs (b) and (c) of this subsection may be modified if the Board finds that a lesser width and/or diameter will be compatible with, and will not be like to have an adverse effect on, the**

present character and future development of the neighborhood; Provided, that the Board shall give specific consideration to the spacing of buildings and the availability of resident, guest and service parking." The site plan appears to meet these requirements.

...

Section 2516.9 **"The substantive provisions of this title shall be complied with, and the proposed development shall not be likely to have an adverse effect on the present character and future development of this neighborhood."** The proposal is consistent with this condition.

Section 2616.10 **Before taking final action on an application under this section, the Board must refer the application to the District of Columbia Office of Planning for coordination review, and report, which coordination, review, and report shall consider the following:**

(a) Relationship overall of the proposed development to the overall purpose and intent of the Zoning Regulations, and other planning considerations for the area and the District of Columbia as a whole, including the plans, programs, and policies of the other departments and agencies of the District government; Provided, that the planning considerations that are addressed shall include, but not be limited to the following:

(1) Public safety relating to the police and fire concerns; (refer to Agency Comments below)
The environment, relating to water supply, water pollution, soil erosion and solid waste management. A final storm water management plan has been approved.

"(3) Public education;

(4) Recreation;" The impact on public services is anticipated to be minimal.

"(5) Parking, loading and traffic;" The proposed circulation plan appears to adequately address these issues.

(6) Urban design; and as appropriate, historic preservation, and visual impacts on adjacent parkland." These properties are not within an historic district and this development is not adjacent to any parkland.

"(b) Considerations of site planning: the size, location, bearing capacity of driveways; deliveries to be made to the site; side and rear yards; density and open space; and the location, design and screening of structures." In most instances, the proposed building locations and typical building design appear adequate. Construction standards for the roadway, driveway, other paved areas and structures will be addressed during building permit review. Landscaping will be provided

throughout the site according the landscape plan provided by the applicant.

"(c) **Considerations of traffic to be generated and parking spaces to be provided, and their impacts."** The minimum requirement of one vehicle per dwelling would be provided with some additional visitors parking (refer to Agency Comments below).

"(d) **The impact of the proposed development on neighboring properties."** OP thinks the impact on neighboring properties would be positive.

"(f) **The findings, considerations, and recommendations of other District government agencies."** (refer to Agency Comments below)

Section 2516.11 also states that the BZA may impose conditions that it determines are required to protect the overall purpose and intent of the Zoning Regulations.

In summary, OP staff determined that:

- The proposed front yard of several lots would not meet the required depth of twenty feet.
- Final approval of this application should be deferred until receipt of a final plan reflecting the recommended changes.

COMPREHENSIVE PLAN

The Comprehensive Plan Generalized Land Use Map designates this area for Medium Density residential development characterized by row houses and apartments, with some low-density residential uses. The Comprehensive Plan, which is the legal basis for zoning in the District, enunciates, as its first principle, the importance of stability for residential neighborhoods. Under Section 101, Major Themes, the plan states:

"The successful and creative functioning of neighborhoods is a fundamental concern. Citizen participation in civic improvement starts from the interest that people have in their neighborhood blocks and the day-to-day relationships therein. ...

> The District elements of the Plan propose that the residential character of neighborhoods be maintained and improved. ...
>
> Ensuring good quality neighborhoods is of utmost importance to the District."

In Title 11, the Land Use Element, the Plan gets quite specific. Section 1103, Objectives for Residential Neighborhoods, states:

> "The residential neighborhood objectives are to conserve the essentially satisfactory qualities of the District's many stable residential neighborhoods, to enhance other neighborhoods to improve and achieve stability, to redirect public and private initiatives to neighborhoods most in need of improvement and stability, to encourage development of adequate neighborhood shopping and

> support services in all sections of the District, to protect residential neighborhoods from disruptive uses and to prevent concentrations of non-residential uses in residential neighborhoods."

Policies in support of these objectives include "(1) Promote the conservation, enhancement and revitalization of the residential neighborhoods of the District for housing and neighborhood-related uses; ..."

The first Ward 8 Objective for Housing under Section 1908.1 is:

> "Increase the number of owner-occupied and single-family housing units in the ward."

COMMUNITY COMMENTS
Advisory Neighborhood Commission (ANC) 8A considered this proposal on May 17, 2001. No written comments have been received.

AGENCY COMMENTS
This proposal was referred to the Fire and Police Department, DC Board of Education and Department of Public Works (DPW) for comment. The Police Department did not anticipate that the proposed use would increase demand for services, but it suggested that the proposed private road be widened to 75' to increase the parking capacity on-site and make emergency access easier (refer to Exhibit 7).

The Department of Health indicated that storm water management and sediment control plans for the entire development have been approved.

The Department of Public Works indicated that the proposed development would generate approximately seven to nine vehicles during a.m. and p.m. peak traffic hours (Exhibit 8). This would not have a significant impact on the local street system. The site is also "well served" by several Metro bus routes linked to the Anacostia Metro rail station on the Green Line.

No other comments have been received.

RECOMMENDATION
The Office of Planning recommends conditional approval of: a variance increasing the maximum FAR in R-5-A to 1.0; a variance increasing the maximum lot occupancy in R-4 and R-5-A from 40% to 50% (only for proposed lots that require such zoning relief); a special exception for row house development on properties zoned R-5-A and R-4; and a special exception for a "theoretical" subdivision to create twelve tax lots on record parcels zoned R-5-A and R-4.

Attachments:

Exhibit 1 Aerial of the Square 5870 showing the development site
Exhibit 2 Part of Square 5870 Site Grading Plan (with landscaping) dated November 1997
Exhibit 3 Office of Surveyor plat of Square 5870 lots 71-86, signed and dated

November 8, 1998

Exhibit 4 Office of Surveyor plat of Square 5870 lots 87-93, signed and dated February 16, 2001

Exhibit 5 Office of Surveyor plat of Square 5870 showing lots 17-29 (draft)

Exhibit 6 Plat of computation on parts of lots 8, 64, 65, 66 and 67 on Square 5870 showing twelve theoretical lots and an access road, signed and dated September 7, 1999

Exhibit 7 Letter to the Seventh District Commander from Gerald S. Barnes, Captain, dated May 16, 2001

Exhibit 8 Letter to Jerrily R. Kress, Director, Office of Zoning from Ken Laden, Associate Director of Planning, Department of Public Works

Exhibit 9 Table of Variance Relief

AA/afj



Aerial of Square 5780 and Hillsdale Heights Townhouse site

Approx. Development Boundaries .....
Approved Townhouse Lots ——

0 100 200 300 400 Feet

Exhibit 1

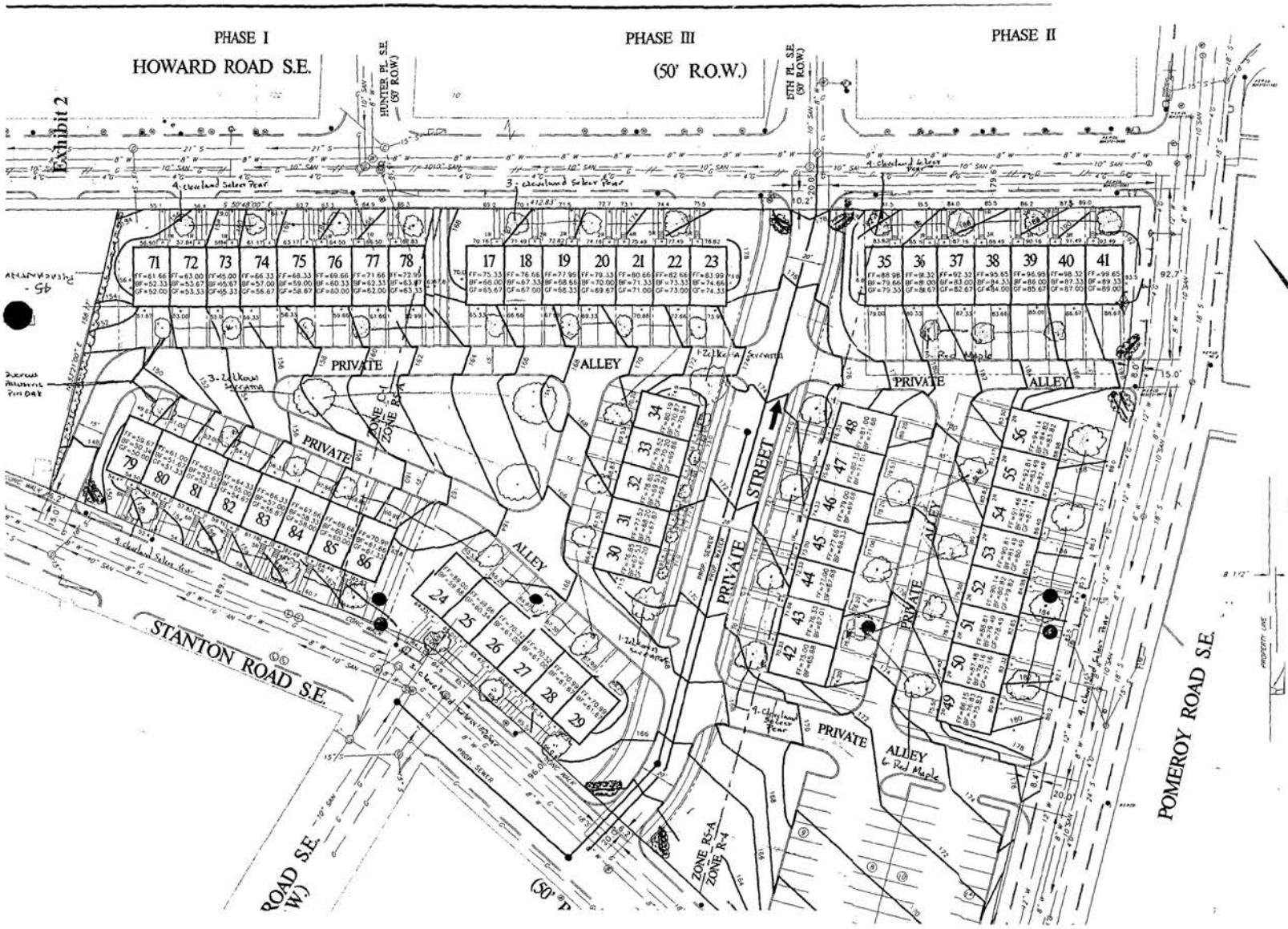

Exhibit 2
PHASE I
HOWARD ROAD S.E.
PHASE III
(50' R.O.W.)
PHASE II
HUNTER PL. S.E. (50' R.O.W.)
15TH PL. S.E. (50' R.O.W.)
PRIVATE
ALLEY
STREET
STANTON ROAD S.E.
POMEROY ROAD S.E.
ZONE C-1
ZONE R-4
ZONE R-5-A
ZONE R-4
PROP. SEWER
PROPERTY LINE

Exhibit 3

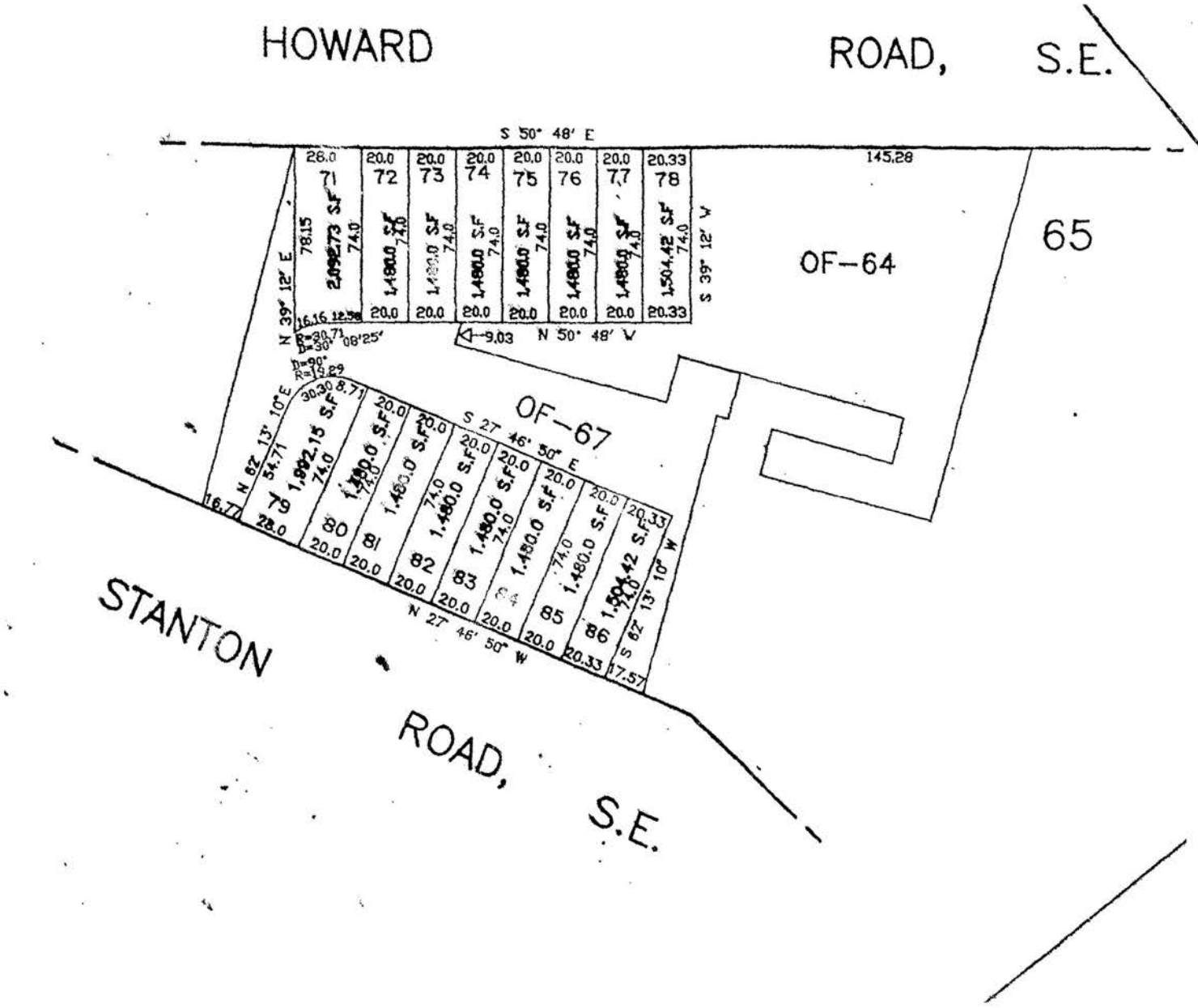
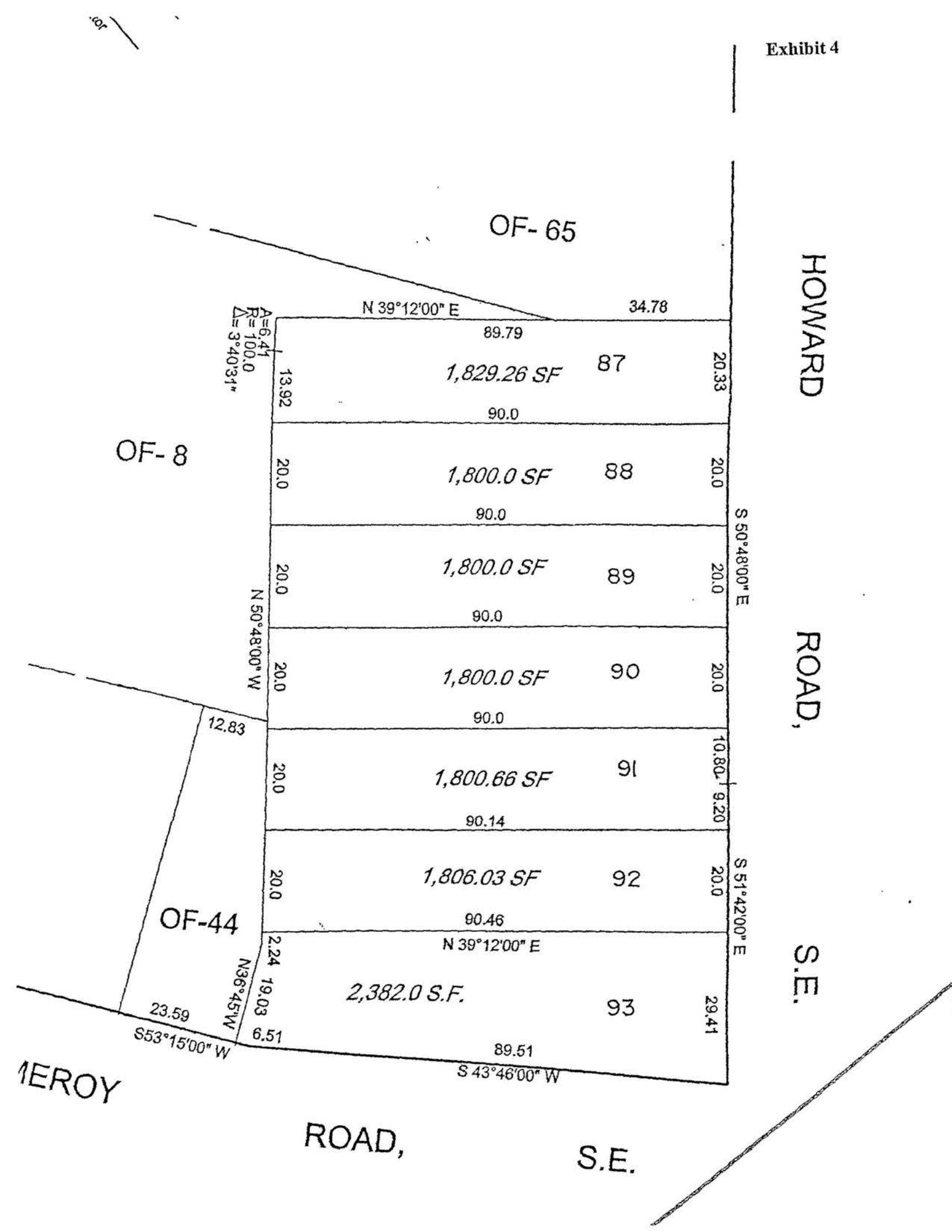

HOWARD
ROAD, S.E.
S 50° 48' E
145.28
65
OF-64
S 39° 12' W
N 39° 12' E
78.15
71
72
73
74
75
76
77
78
74.0
20.0
20.33
N 50° 48' W
9.03
OF-67
S 27° 46' 50" E
N 62° 13' 10" E
54.71
79
80
81
82
83
84
85
86
N 27° 46' 50" W
S 62° 13' 10" W
17.57
STANTON
ROAD, S.E.

Exhibit 4


OF- 65
HOWARD
ROAD,
S.E.
N 39°12'00" E
34.78
89.79
A=6.41
R= 100.0
Δ= 3°40'31"
13.92
87
1,829.26 SF
20.33
90.0
OF- 8
20.0
88
1,800.0 SF
20.0
90.0
S 50°48'00" E
20.0
89
1,800.0 SF
20.0
90.0
N 50°48'00" W
20.0
90
1,800.0 SF
20.0
90.0
12.83
20.0
91
1,800.66 SF
10.80
9.20
90.14
20.0
92
1,806.03 SF
20.0
90.46
S 51°42'00" E
OF-44
N 39°12'00" E
2.24
N36°45'W
19.03
2,382.0 S.F.
93
29.41
23.59
S53°15'00" W
6.51
89.51
S 43°46'00" W
1EROY
ROAD,
S.E.

le to the property;
are no interests or
ed hereby

and parts of
its and requests
of the District

RS

SING L.L.C.

Piano ,President

, Asst. Secretary

Executive Director

1999

ary 14, 2000
ion Expires

..... 19.....

I certify that the following statements relating to this subdivision are correct.

1. Ownership agrees with our records; .....
2. Real estate taxes are paid to: .....
3. There are no unpaid special assessments: .....

.....
Associate Director, Office of Real Property Tax

I acknowledge for the owners that this is not a tax certificate as intended by D.C. Code Section 47-405

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

..... 19.....

I certify that this subdivision complies with the zoning regulations of the District of Columbia

Zoning. .. ..

.. ..

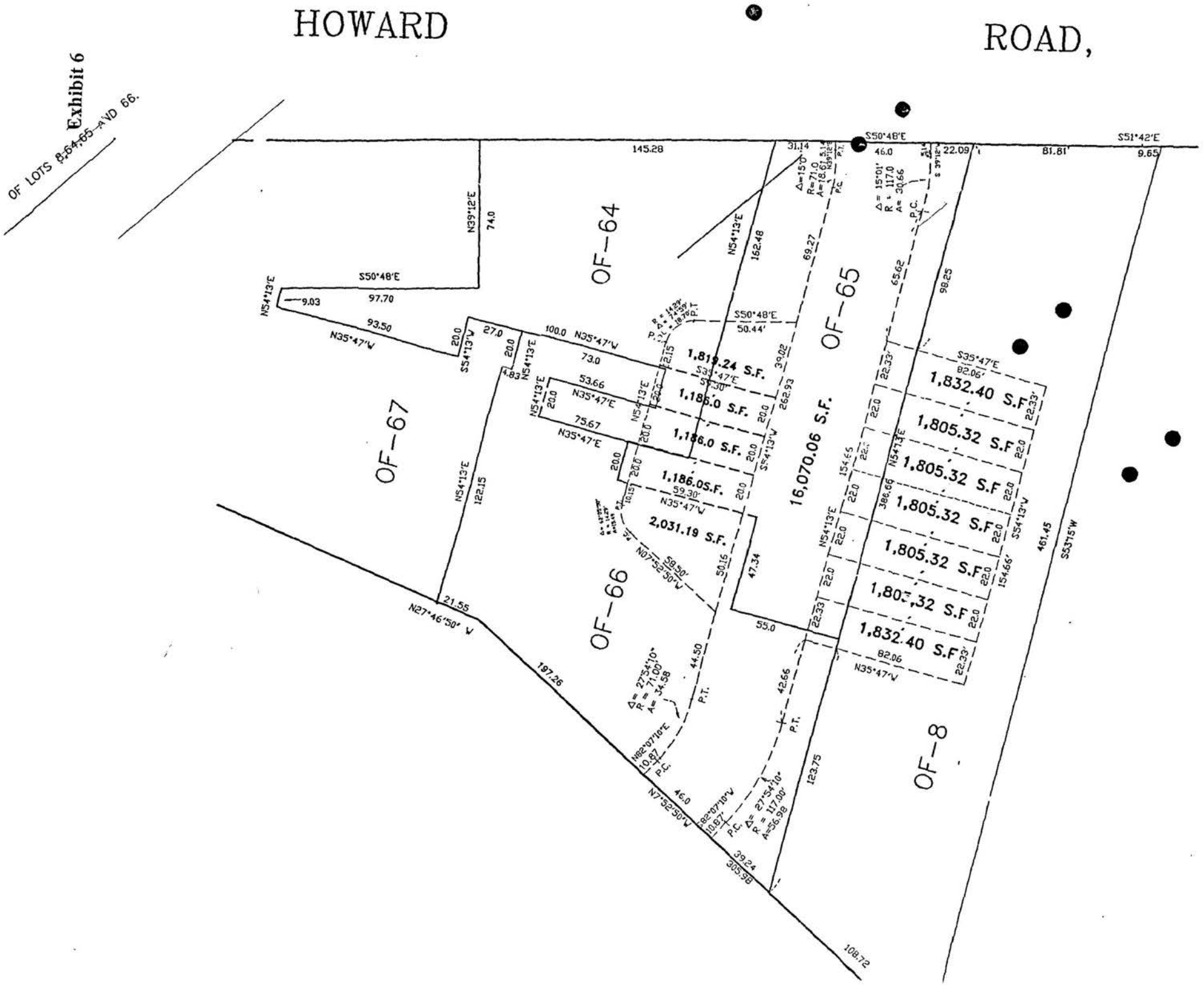

HOWARD
ROAD,
Exhibit 6
OF LOTS 8,64,65 AND 66.
OF-64
OF-65
OF-66
OF-67
OF-8
16,070.06 S.F.
1,819.24 S.F.
1,186.0 S.F.
1,186.0 S.F.
1,186.0S.F.
2,031.19 S.F.
1,832.40 S.F
1,805.32 S.F
1,805.32 S.F
1,805.32 S.F
1,805.32 S.F
1,832.40 S.F
S50°48'E
S51°42'E
N54°13'E
N35°47'W
N35°47'E
N27°46'50" W
N07°52'50"W
S53°15'W
145.28
74.0
97.70
93.50
73.0
53.66
75.67
59.30
122.15
197.26
305.98
108.72
69.27
162.48
262.93
50.44'
81.81'
461.45
154.66'
82.06'
98.25
65.62
42.66
123.75
55.0
47.34
50.15
44.50
39.24
21.55
46.0
22.09
9.65
31.14
Δ=15°0
R=71.0
A=18.6
Δ= 15°01'
R = 117.0
A= 30.66
Δ= 27°54'10"
R = 71.00'
A= 34.58
Δ= 27°54'10"
R = 117.00'
A=56.98
N82°07'10"E
10.87
N82°07'10"W
10.87
P.C.
P.T.

Exhibit 7

METROPOLITAN POLICE DEPARTMENT

Seventh District

May 16, 2001

MEMORANDUM 5/16/01

TO: Commander
Seventh District

SUBJECT: Comments on the BZA Application No. 16755 – Application for a theoretical subdivision and private roadway on the subdivision property located along Howard Road, S.E. and Stanton Road, S.E.

As directed, I have reviewed the plans for additional townhouses and a private roadway for the proposed theoretical portion of the Hillsdale Townhouse development.

A survey of the area was conducted on May 16, 2001, to assess the impact of the planned development on public safety, specifically police services. To provide access to the planned townhouses from Howard Road and Stanton Road, S.E., a private roadway has been proposed. This roadway would also provide access to the private alleys for existing townhouses in the development.

Based on my review of crime information for the area, the addition of twelve townhouses will not significantly increase the demand for police services. However, additional parking requirements for the proposed townhouses would be severely restricted by a 46-feet roadway. It is my recommendation that if approved, the creation of the proposed roadway be in accordance with D.C. Code, Title 7-444. Pursuant to the section, in any one block length, a minor street shall be 75 feet wide. This requirement would ease parking problems in the area and accommodate access of public safety vehicles.

Gerald S. Barnes
Captain

Exhibit 8

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PUBLIC WORKS

OFFICE OF TRANSPORTATION PLANNING

MEMORANDUM

TO: Jerrily R. Kress, FAIA
Director
Office of Zoning

FROM: Ken Laden
Associate Director for Planning

DATE: MAY 16 2001

SUBJECT: BZA Application No. 16705 – Application for R-5-A Review and variance relief from the lot occupancy and floor area ratio requirements to facilitate the construction of 25 affordable townhomes.

The Department of Public Works, District Division of Transportation (DDOT) has reviewed the application and other material submitted by the applicant. This report addresses the transportation elements of the proposal.

The applicant seeks variance relief from the lot occupancy and floor area ratio requirements to erect 25 townhomes with associated private roadways and common area as a third and final phase of a Townhome Project. The applicant will at least provide one parking garage in the rear lot for each townhome as required by the Zoning Regulations. Access to the garage is via private roadways designed and built by the applicant and maintained by the future home owners.

The project will generate approximately seven to nine vehicle trips during the a.m. and p.m. peak hours. This amount of traffic generation will have no significant traffic impact on the local street system leading to and from the project. The site is well served by several Metro bus routes linking the site to the green line at the Anacostia Metrorail Station.

From a transportation standpoint, DDOT has no objection to the proposed project.

Exhibit 9

Recommended Variance Relief for BZA Case 16705

Proposed Lot Number	Zoning	Increase Allowable FAR from 0.9 to 1.0	Increase Allowable Lot Occupancy from 40% to 50%
17	R-5-A	N/A	N/A
18	R-5-A	Yes	Yes
19	R-5-A	Yes	Yes
20	R-5-A	Yes	Yes
21	R-5-A	Yes	Yes
22	R-5-A	Yes	Yes
23	R-5-A	N/A	N/A
24	R-5-A	N/A	N/A
25	R-5-A	Yes	Yes
26	R-5-A	Yes	Yes
27	R-5-A	Yes	Yes
28	R-5-A	Yes	Yes
29	R-5-A	N/A	N/A
30	R-5-A	Yes	Yes
31	R-5-A	Yes	Yes
32	R-5-A	Yes	Yes
33	R-5-A	Yes	Yes
34	R-5-A	Yes	Yes

Office of Planning: May 23, 2001