

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Maxine Brown-Roberts, Project Manager  
Joel Lawson, Associate Director Development Review  
**DATE:** March 13, 2019  
**SUBJECT:** Second Supplemental Report - BZA Case 19910 – 5835 Colorado Avenue, NW to permit a new five-unit apartment house to opt into Inclusionary Zoning requirements for increased density.

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**OFFICE OF PLANNING RECOMMENDATION**

While reviewing the applicant's request for a special exception relief from Subtitle C § 1001.2(e)(3), to opt into Inclusionary Zoning (IZ), the Board of Zoning Adjustment requested that the applicant redesign the IZ unit so that the bedroom and bathroom are not located on separate floors (Exhibit 39, Sheet Z.102). The applicant redesigned the IZ unit placing the bedroom and bathroom on the third floor (Exhibit 48, Sheet 103). The Office of Planning (OP) is supportive of the redesigned IZ unit.

Second, the applicant requests special exception relief from Subtitle C § 1001.2(e), Applicability of Achievable Bonus Density, to increase the FAR of the project and provide one IZ unit. The applicant is also including a habitable penthouse which has a 10% IZ requirement (32 square feet of space) per Subtitle C § 1001.2(b). Further, Subtitle C § 1003.7 requires that 100% of the penthouse related requirement (32 square feet) be provided at 50% of MFI.

At the public hearing, the applicant requested that the BZA grant them the option to either provide one IZ unit at 50% MFI or provide a contribution to the Housing Production Trust Fund (Subtitle C § 1006.10). The requirement, 32 square feet, is very small and therefore OP is not opposed to the requested flexibility, as one IZ unit would be provided on-site under either scenario.

OP continues to recommend approval of the requested special exceptions and variances as detailed in the March 4, 2019 Supplemental OP Report at Exhibit 44.