

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager

JL Joel Lawson, Associate Director Development Review

DATE: September 2, 2021

SUBJECT: BZA Case 20500 2519-2525 Pennsylvania Ave NW - to permit construction of a four-story addition at the rear of the historic landmark (subject property)

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to Subtitle G § 1200:

- Court, Subtitle G § 202.1 (15 ft. minimum required; none existing; 10 ft. proposed)
- Lot Occupancy, Subtitle G § 404.1 (75% maximum permitted; 63% existing; 85% proposed)
- Rear Yard, Subtitle G § 405.2 (15 ft. minimum required; 35 ft. existing; none proposed)

II. LOCATION AND SITE DESCRIPTION

Address	2519-2525 Pennsylvania Avenue NW
Applicant	Triangle Communications Associates, Inc.; LPD DC LLC; & Evangeline Pedas (collectively known as the “Applicant”)
Legal Description	Square 14 Lots 28, 29
Ward, ANC	Ward 2, ANC 2A
Zone	MU-6 – Permits medium density mixed-use development with a focus on residential use.
Historic Landmark	Not within in a Historic District but the subject property is part of a group of buildings (2517-2525 Pennsylvania Avenue, NW) designated with Historic Landmarks known as the 1889 Mullett Rowhouses.
Lot Characteristics	The lot fronts Pennsylvania Avenue at grade but rises up to 7 feet higher at the rear of the lot at the alley.
Existing Development	Each property is currently improved with a five-story attached building. The first floor of each building has been consistently used for various non-residential purposes. The upper floors have been consistently used for residential purposes.

Adjacent Properties	The only abutting property, to the east, is a mixed-use residential / commercial structure. To the west the subject property abuts a 20-foot wide alley, which is continued at the property's rear.
Surrounding Neighborhood Character	The neighborhood is a mix of moderate-to-medium density residential uses, along with commercial and medical uses.
Proposed Development	The Applicant is proposing to combine lots 28 and 29, and demolish a portion of the party wall to create one building (Exhibit 6 Sheet A06), requiring a subdivision to consolidate the lots. A four-story addition would be constructed at the rear, separated from the main building by a court but connected by a one-story addition at the first floor. The rear addition is designed as three stories of apartments over a parking level. The existing fifth floor would be expanded to the rear of the existing building's footprint. The renovated structure will have fifteen (15) residential units and 2,447 square feet of ground floor commercial space. The additional GFA would not result in 10 new units, so IZ is not applicable.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone- MU-6	Regulation	Existing	Proposed	Relief
Lot Area	N/A	4,308 sq.ft.	4,308 sq.ft.	None Required
Lot Width	N/A	44 ft.	44 ft.	None Required
Height G § 403	90 ft. max.	55 ft.	55 ft.	None Required
Floor Area Ratio G § 402	6.0 max.	2.7	4.38	None Required
Lot Occupancy G § 401.1	75 % max.	63%	85%	REQUIRED
Rear Yard G § 405.5	15 ft. min.	35 ft.	0 ft.	REQUIRED
Court G § 202	4 in/1 ft. height, (14.67 ft.)	N/A	10 ft.	REQUIRED
Parking C § 701	2 spaces	2 spaces	3 spaces	None required

IV. OFFICE OF PLANNING ANALYSIS

Special Exception Relief:

Lot Occupancy and Court - Subtitle G § 401 and G § 202

- i. Is the special exception in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

The MU-6 zone is intended to permit medium density mixed-use buildings, including residential, as proposed for this site. The existing structures provided this use mix at a height and density lower than anticipated for the zone.

Historic Preservation Review (HPA 21-222) determined that the height of the historic structures cannot be altered, and a large addition attached to the rear was discouraged, “*as it would destroy or encapsulate the character-defining hemi-hexagonal brick walls and chimneys.*”

Thus, the applicant proposes to extend the building’s footprint into the rear yard, beyond the matter-of-right maximum lot occupancy of 75%. The proposed addition at the rear of the site would maintain the existing 55-foot building height, while the connection to the existing building would be one story in height. The resulting court of about 10 to 16.5 feet in width would provide separation of the addition from the historic element.

The design balances the Zoning Regulations and Historic Preservation requirements, including of the provision of additional housing as anticipated by the Regulations, while maintaining the integrity of the historic elements of the landmark structures.

ii. Would the special exception appear to tend to affect adversely, the use of neighboring property?

The requested relief from the lot occupancy and court requirements should not affect the use of neighboring property. The 20-foot-wide alley system which runs along the west and north (rear) of the property, provides access for private and service vehicles to the rear of neighboring homes fronting 25th Street. Three garage parking spaces on this site are proposed to be accessed via the alley.

Windows are proposed along the west-facing elevation and the rear. These would be required bedroom windows for residences of the rear addition and within the renovated historic portion of the elevation along the alley. The applicant states that windows at the rear would be located to “*limit penetration of sight lines to the rear of that building.*” Views into and from these rooms should not be anticipated to adversely impact the use of neighboring properties.

The proposed roof deck would be located on the roof of the existing structure and not on the rear addition. This would provide adequate separation to prevent view or noise impacts into the rear yards of residents fronting 25th Street. (Site Plan Sheet A04).

Access of air or light should not be significantly impacted by the addition as demonstrated in the applicant’s sun shadow study, which indicates that shadows would not be significantly different than what currently exists. The larger buildings to the east and west would continue to cast the largest shadow over existing properties to the east after mid-day throughout the year. (Sun and Shadow Study – Exhibit 37B2, Sheets A 32-A35)

iii. Applicable conditions specified in this chapter

There are no applicable conditions specified under G §1200.

Rear Yard - Subtitle G § 405.2

Requirements of G § 1201

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

The existing structures are not located directly in front of another building. Buildings to the rear are at an angle to this building, limiting potential view impacts. In addition, windows proposed on the sides of the building, including at the rear and west facing elevation, would be placed to the limit penetration of sight lines into habitable rooms of adjacent buildings, including the building to the west across the 20-foot alley.

- (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;*

Office use is not proposed in this 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;*

Windows would face obliquely towards the rear yards of homes which front on 25th Street as currently exist on the 1889 Mullet Rowhomes. Windows would be placed to limit the penetration of sight lines into habitable rooms of adjacent buildings.

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

Two parking spaces are required and three would be provided. The property is located within walking distance of the Foggy Bottom Metro Station and is along a multi-line bus route. Loading is not provided or required for under fifty residential units. Two utility rooms, a trash room and bicycle room would be provided with access from the rear.

- (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.*

The application was referred as required including to DCHA (Exhibit 16), and to DDOT (Exhibit 19). Historic Preservation reviewed the application as required for historic properties.

Special Exception

- i. Is the special exception in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?*

The rear yard for first 20 feet of building height is measured from the centerline of the alley, so would be 10 feet, or as much as 5 feet less than required (from the drawings, it appears that portions of the building do provide a minimal setback along portions of the rear lot line, but this dimension is not provided). Portions of the addition above a building height of 20-feet, measured from the rear lot line as required, would have little to no setback. Relief from these requirements is subject to the requirements of G § 1200, which are satisfied as reviewed above. The alley system and the courtyard, where the building is only one story in height along the alley, provide a sense of openness anticipated by the regulations. Therefore, granting the requested relief would be in harmony with the general purpose of the regulations.

- ii. Would the special exception appear to tend to affect adversely, the use of neighboring property?*

The use of neighboring property should not be unduly affected as discussed above. Relief to permit the proposed building form should not adversely impact light and air to the neighboring properties fronting on 25th Street, or vehicles and service truck access via the alley system to the rear of their properties.

- iii. Applicable conditions specified in this chapter – See requirements of G § 1201 above.*

V. HISTORIC PRESERVATION

The project was reviewed by the Historic Preservation Review Board ([HPA 21-222](#)) on April 22, 2021 and approval of the subdivision was recommended with support for the proposed building additions and alterations.

VI. OTHER DISTRICT AGENCIES

At the writing of this report, the record did not contain other District agencies' reports.

VII. ADVISORY NEIGHBORHOOD COMMISSION

At its regularly held meeting on May 19, 2021, ANC2A voted in support of the application (Exhibit 28).

VIII. COMMUNITY COMMENTS TO DATE

At the writing of this report, comments from the neighborhood were not included in the record.

