

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Karen Thomas, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: May 5 2022

SUBJECT: BZA # 20500A – Request for a Modification of Consequence to Order 20500 pursuant to Subtitle Y § 703

I. BACKGROUND

The Applicant’s project was approved under Order #20500, including special exception relief from floor area ratio and lot occupancy. It was subsequently realized that there were errors in the approved plans, including the placement of the structure with existing bay windows projecting outside of the lot’s boundary, into public space, which meant that they were excluded from lot occupancy and FAR measurements. However, it has been determined that the bays are in fact within the property’s boundary. The applicant has modified the plans to fit the building within the boundaries consistent with the prior approval. As amended, the lot occupancy is decreased from 64.7% to 62.4% and the FAR 4.24 to 4.23. There are no significant changes to the massing or area, and no additional zoning relief, compared to the original approval, is needed.

II. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested modification to the original Order 20500 as a modification of consequence pursuant to Subtitle Y § 703.4 of the Regulations based on the minor modifications to the plans consistent with Subtitle Y § 703.3.

III. 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 proposed development has been approved to permit a subdivision to combine Lots 28 and 29; demolition of a portion of the party wall to create one building (BZA 20500: Exhibit 6); and construction of a four-story addition at the rear. The renovated structure will have 15 residential units and 2,447 square feet of ground floor commercial space.

IV. DESCRIPTION OF MODIFICATION

The modification to the Order is required to correct the record regarding relocation of architectural elements from the final design approved by the Board. This is the result of counting the bay windows that are within the property lines, which, at the time of approval, were believed to be projections into public space and not included in the zoning lot occupancy, court and rear yard calculations. The modifications are for changes made to remain consistent with the granted approval as discussed in the applicant's statement of [Exhibit 5](#).

V. ANALYSIS

Subtitle Y § 703.3 defines "Minor Modifications" as "modifications that do not change the material facts upon which the Board based its original approval...".

Based on the submitted plans of [Exhibit 2](#), OP continues to find that the proposed use and requested relief would meet the relevant criteria under its original approval. Changes to the lot occupancy, rear yard and minimum court requirements would not be significant, and do not change the nature of the relief granted. As amended the lot occupancy would be decreased from 64.7% to 62.4% and the FAR 4.24 to 4.23. These are not material changes to the massing or area.

VI. HISTORIC PRESERVATION

The property is not in a historic district but is part of a designated landmark as referenced in the first table of this report. However, the changes do not affect HPRB's original approval.

VII. OTHER DISTRICT AGENCIES

At the writing of this report, there are no other District agencies reports included in the record.

VIII. ADVISORY NEIGHBORHOOD COMMISSION

The ANC 2A voted to recommend approval at its regularly scheduled meeting on April 20, 2022, shown as Exhibit 9 of the record.

IX. COMMUNITY COMMENTS TO DATE

There are no community comments to date in the record.

ATTACHMENT

Vicinity Map

