

## **BZA Application No. 20507B**

**89 and 93 Hawaii Avenue, NE  
Legacy Lofts II, LLC and Legacy Lofts III, LLC  
January 22, 2025**

Board of Zoning Adjustment  
District of Columbia  
CASE NO.20507B  
EXHIBIT NO.32

# Overview and Requested Relief

- The Properties are located in the RA-1 zone district and each lot is improved with an existing apartment building with 8 residential dwelling units.
- **Original Case:** In BZA Case No. 20507, the Board of Zoning Adjustment granted special exception approval for 11 lots to enlarge the existing building and increase the number units. The Properties, as part of the approval, were granted special exception approval to convert the building on each lot from 8 units to 16 units.
- **First Modification:** In BZA Case No. 20507A, the Board granted approval to modify the original plans for just the two above-referenced lots. The plan modifications contemplated maintaining the existing building footprint (not doing the proposed respective additions) and instead just adding 3 residential units to the cellar level of each building (the “Project”). Each building in the original approval contemplated 16 units, but the removal of the third floor and reduction in the cellar led to only 11 units in each building (net increase of 3, 8 existing).
- **Second (Current) Requested Modification:** As this is an RA-1 project, it must be approved by the Board. The Applicant is now requesting a second modification to the original project. This would revert back to the originally approved 3 story building, with some design changes to the third story and an overall reduction in units. The original approval contemplated 16 units whereas this modification proposes 14 units in each building (net increase of 6 from existing building). As part of the modification, the Applicant has included the special exception approval standards of U-421 for RA-1 projects.

## Community & Agency Support

- The Office of Planning recommends approval.
- Applicant reached out to ANC5A 9 times with no response. The ANC did not participate in the first modification to this project (BZA Case No. 20507A).

## General Special Exception Requirements of Subtitle X § 901.2

Criteria	Project
1) "Granting relief will be in harmony with the general purpose and intent of the Zoning Regulations, and Zoning Maps."	<ul style="list-style-type: none"><li>The RA-1 Zone provides for areas predominately developed with low to moderate-density development, including multi-family residential buildings. The area is made up of a mix of multi-family residential developments and single-family dwellings uses and the proposal is for two, 14-unit residential buildings—fewer units than what the Board originally approved in each building, and only 6 more than exist now.</li></ul>
2) "Granting relief will not tend to affect adversely, the Use of Neighboring Property in accordance with the Zoning Regulations and Zoning Maps."	<ul style="list-style-type: none"><li>The granting of the special exception will not tend to adversely affect the use of neighboring properties. The Applicant is technically reducing the number of units from the original approval. The surrounding area is characterized by residential uses with larger apartment and condo buildings.</li></ul>

Specific Special Exception Requirements of Subtitle U § 421	
Criteria	Project
<p><b>Section 421.2: The Board of Zoning Adjustment shall refer the application to the relevant District of Columbia agencies for comment and recommendation as to the adequacy of the following: (a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and</b></p>	<p>It is expected that the Office of the State Superintendent of Education will not have an issue as this is an overall decrease in the number of units originally approved in each building.</p>
<p><b>(b) Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.</b></p>	<p>Hawaii Avenue intersects with North Capitol Street about 600 feet north of the Properties. North Capitol Street is a major transportation corridor in the District. Fort Totten Park is a 2 to 3- minute walk from the Properties and the Fort Totten Metro station is only a fifteen-minute walk. Accordingly, as determined in the previous case, residents should be adequately served by the surrounding public streets, recreation, and other services in the area (such as public transportation).</p>
<p><b>Section 421.3: The Board of Zoning Adjustment shall refer the application to the 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 surrounding neighborhood, and the relationship of the proposed project to public plans and projects.</b></p>	<p>The Office of Planning submitting a report recommending approval.</p> <p>The primary change includes a reduction in the number of units from what was originally approved, and a modification to the architectural features on the approved new third floor.</p>



89 AND 93 HAWAII AVENUE  
NE.  
WASHINGTON, DC 20011  
14 UNITS APARTMENT BUILDING  
CONCEPT DESIGN



RESIDENTIAL APARTMENT RA-1 ZONE

The purpose of the RA-1 zone are to:

Permit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these district; an permit the construction of those institutional and semi-public buildings that would be compatible with adjoining residential uses and that area excluded from the more restrictive residential zones.

The RA-1 zone provides for areas predominantly developed with low-to moderate-density development, including detached dwellings, rowhouse, and low-rise apartments.

USE PERMISSION	COURTS	PARKING	INCLUSIONARY ZONING
Subtitle U, Chapter 3	Subtitle F 204	Subtitle C, Chapter 7/8	Subtitle C, Chapter 10

	DEVELOPMENT STANDARDS							
	FLOOR AREA RATIO	HEIGHT	STORIES	LOT OCCUPANCY (PERCENTAGE)	REAR YARD (FT.)	SIDE YARD (FT.)	GREEN AREA RATIO	ZONING REGULATION REFERENCE
RA-1	0.9	40	3	40%	20(min.)	One 8 ft. side setback shall be provided for all structures	0.40	Subtitle F, Chapter 3

SCOPE OF WORK:

ADDITION, ALTERATION AND REPAIR ON AN EXISTING BUILDING.  
-TO CONSTRUCT THIRD FLOOR.  
-TO ADD THREE UNITS IN THIRD FLOOR IN AN EXISTING 11 UNITS BUILDING.

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ISSUE DATE

AS INDICATED  
JAN. 2023

COVER PAGE

A0  
Board of Zoning Adjustment  
District of Columbia  
CASE NO.205078  
EXHIBIT NO.12



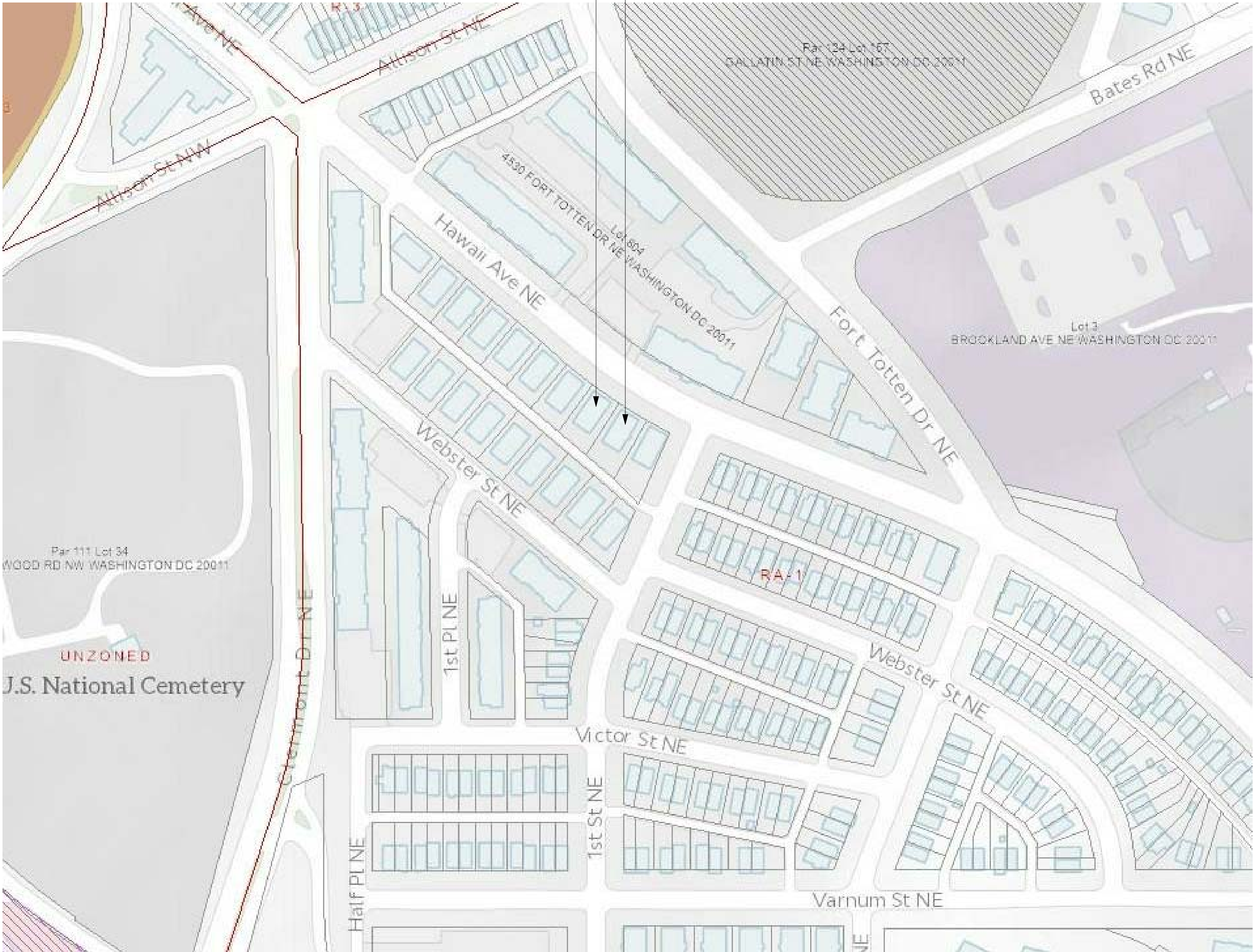
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LOT: 0008  
LOT: 0009

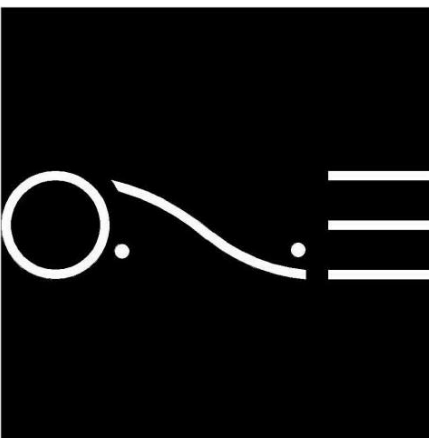


SUBJECT PROPERTY : RECORD LOT

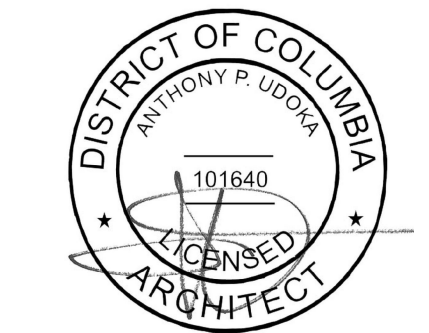
SQUARE: 3674  
LOT: 0008  
LOT: 0009



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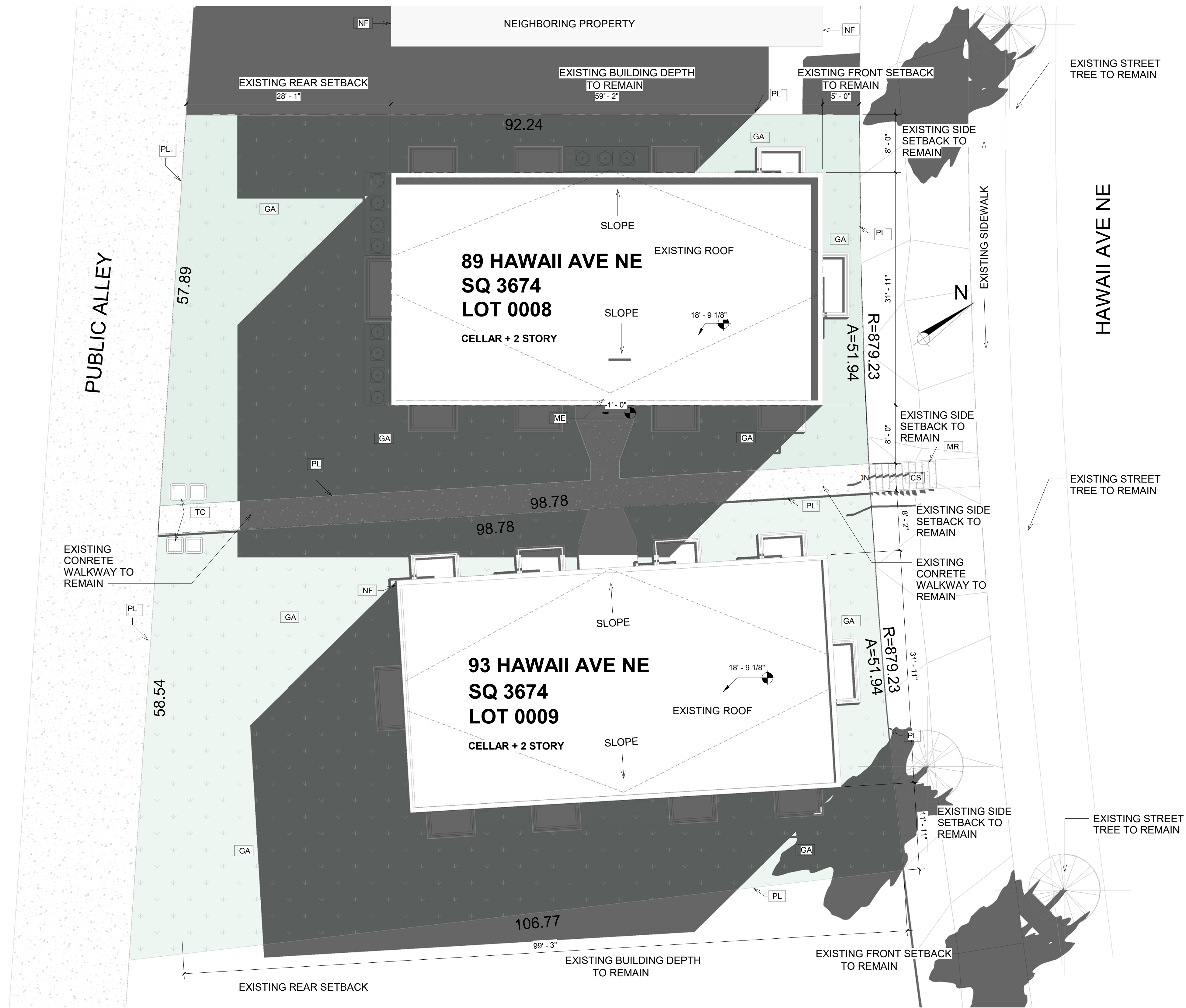


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VICINITY MAP  
AND ARIAL  
VIEW

A1

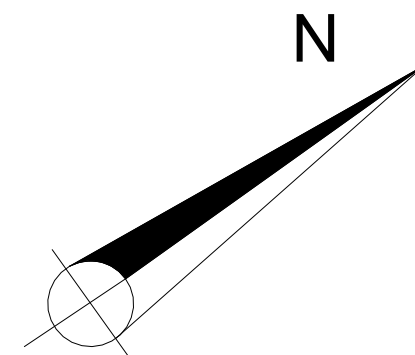




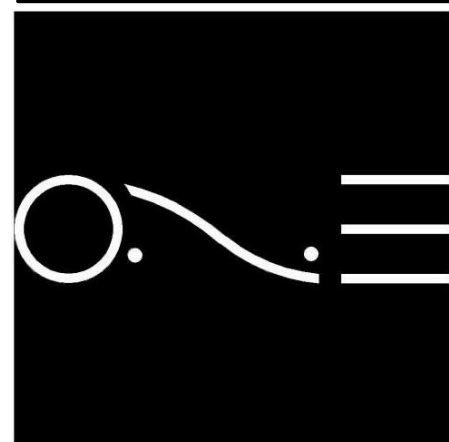
1 EXISTING SITE PLAN  
1/8" = 1'-0"

### KEY NOTES

AC	AC CONDENSORS ON GRADE	WW	WINDOW WELL
PL	PROPERTY LINE	NR	NEIGHBORING REAR WALL
PR	PARKING	ME	MAIN ENTRANCE
GA	GREEN AREA	CS	CONCRETE STAIRS
MR	METAL RAILING	NF	NEIGHBORING FRONT WALL
TC	TRASH CANS	PP	PERMEABLE PAVER PAVMENT



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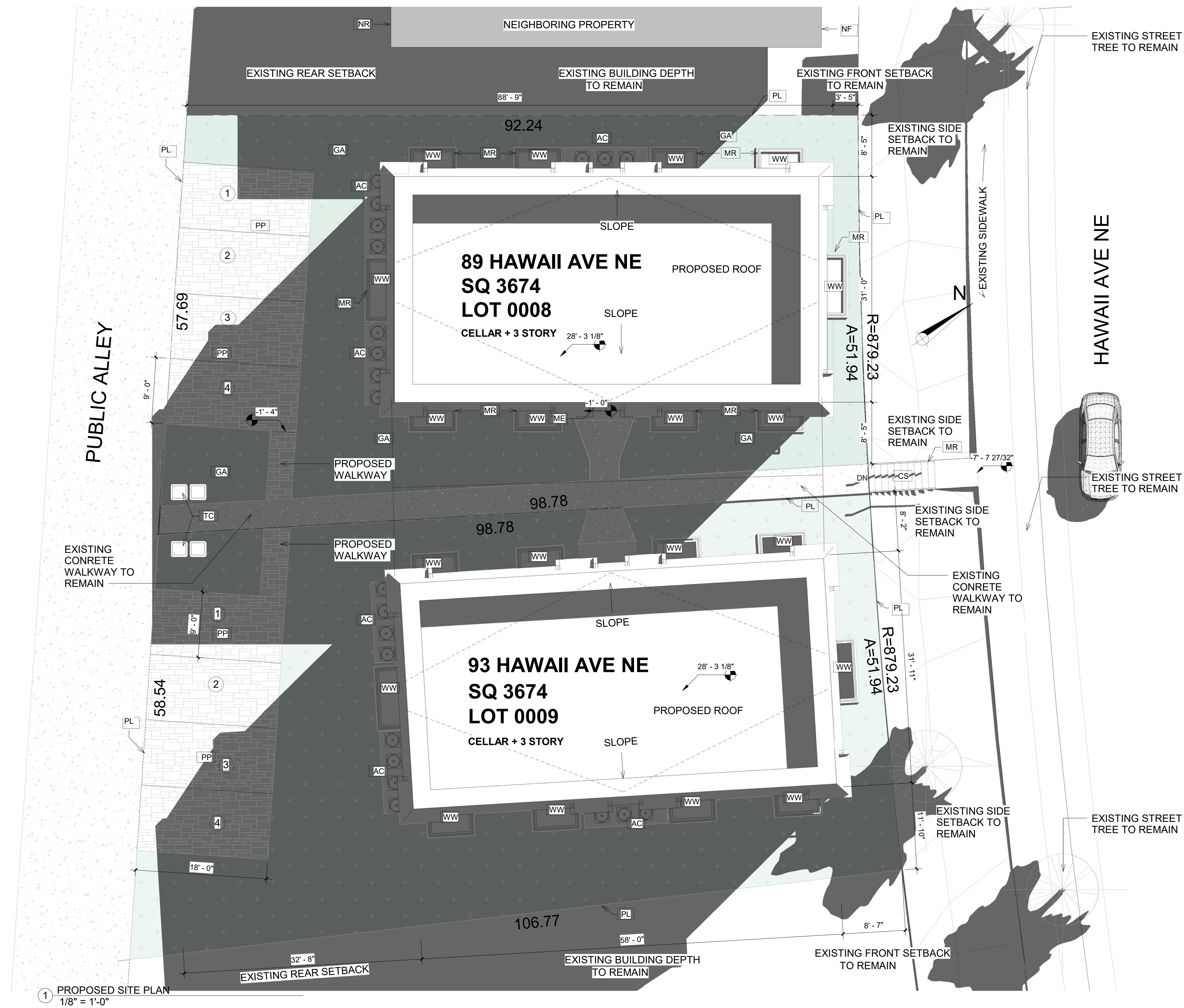


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EXISTING SITE  
PLAN

**A2**

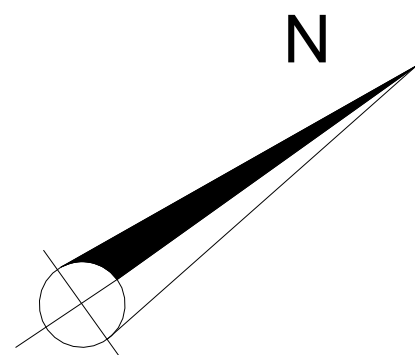




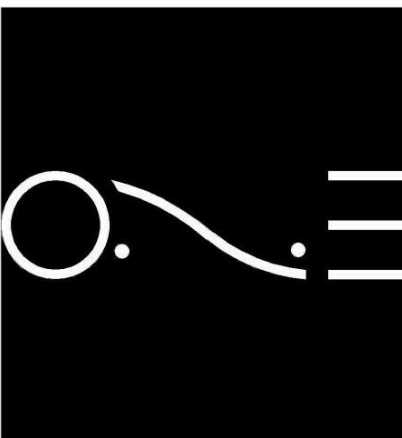
1 PROPOSED SITE PLAN  
1/8" = 1'-0"

**KEY NOTES**

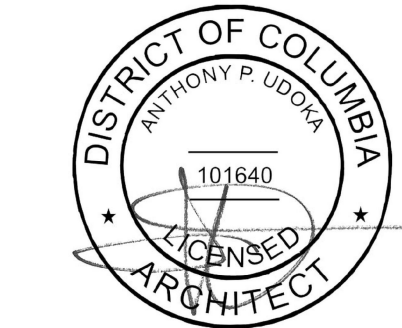
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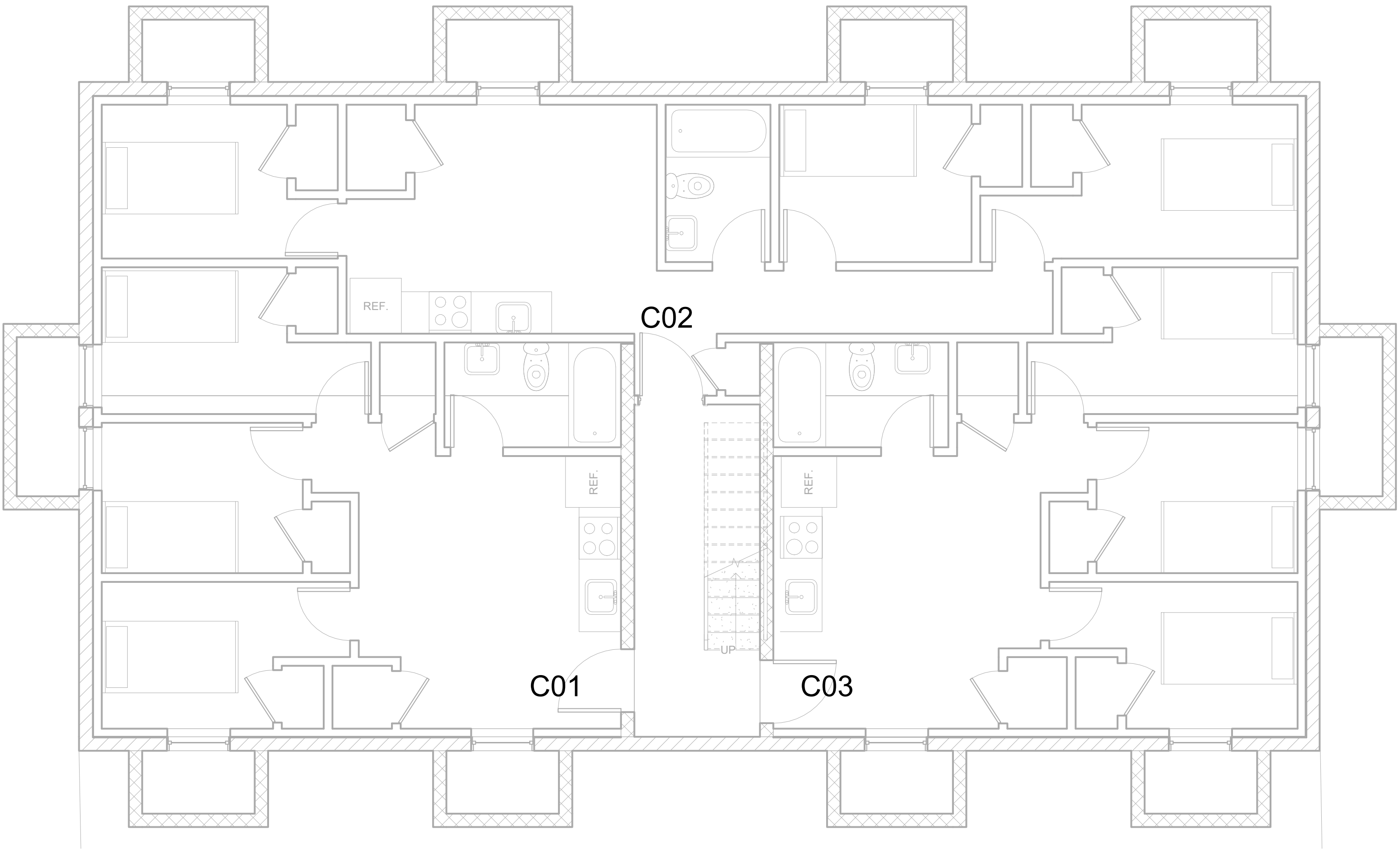


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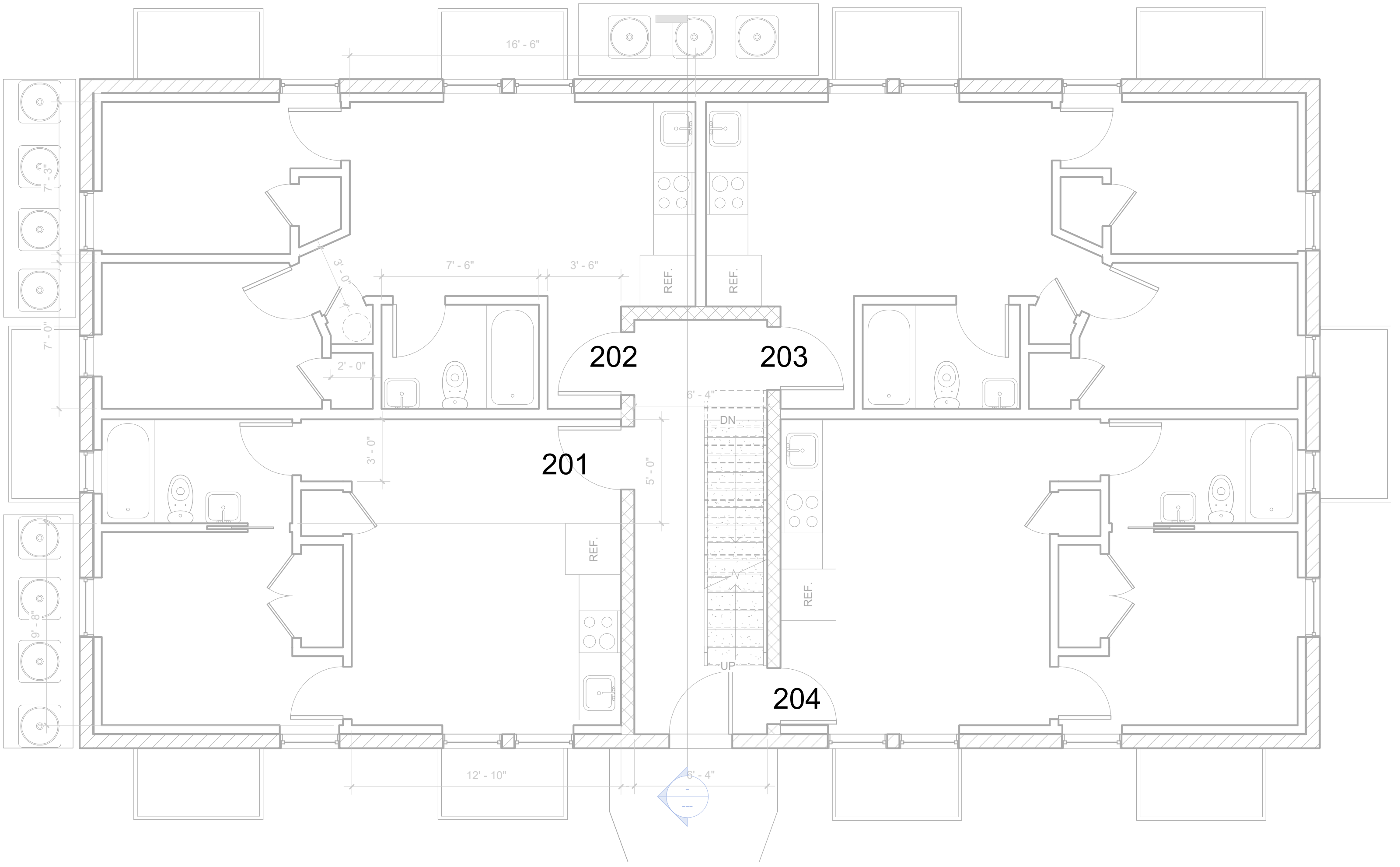
**PROPOSED  
SITE PLAN**

**A3**

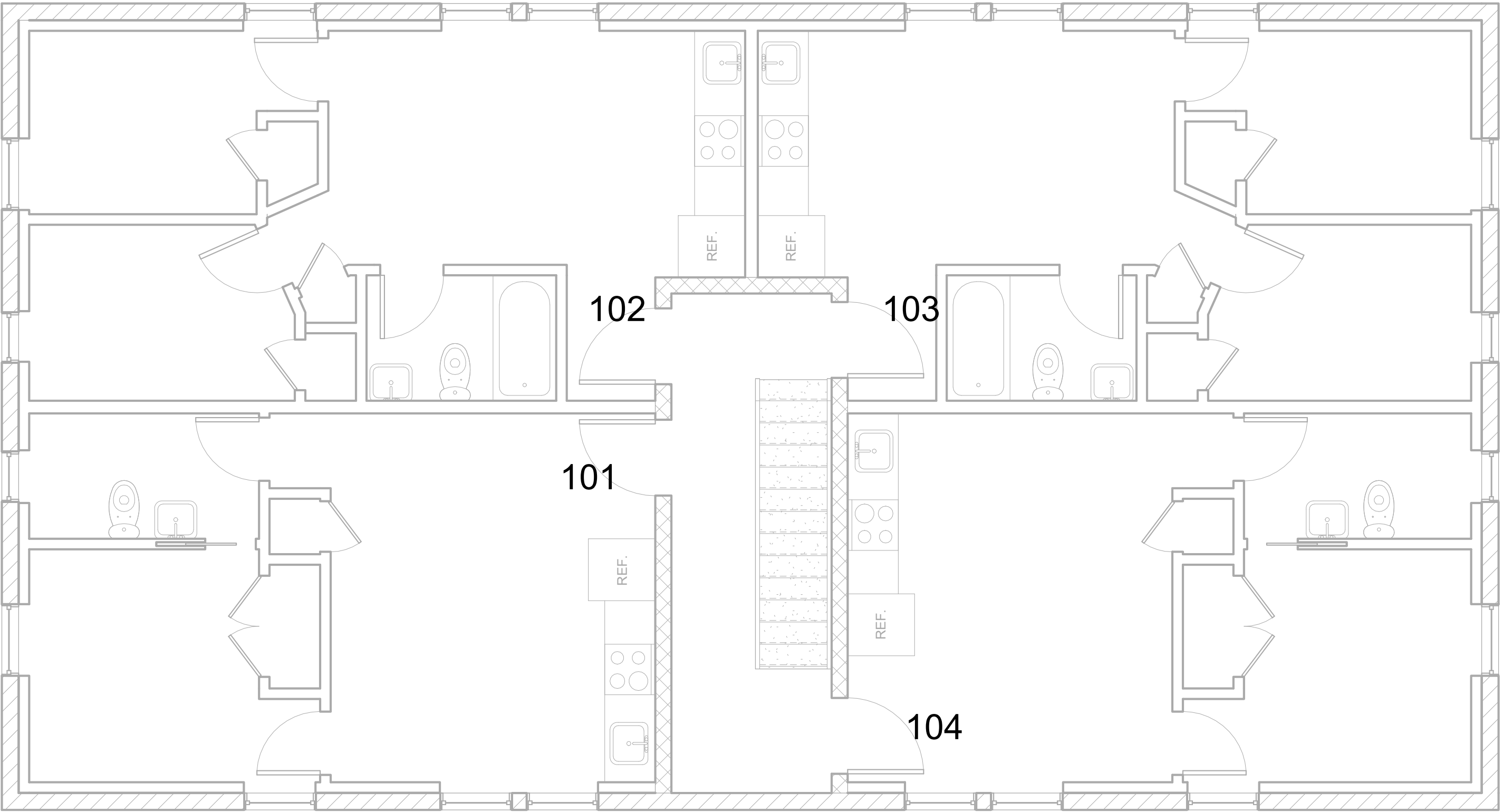




1 EXISTING CELLAR  
1/4" = 1'-0"



2 EXISTING FIRST FLOOR  
1/4" = 1'-0"

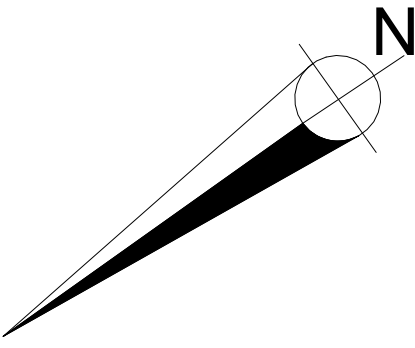


3 EXISTING 2ND FLOOR  
1/4" = 1'-0"

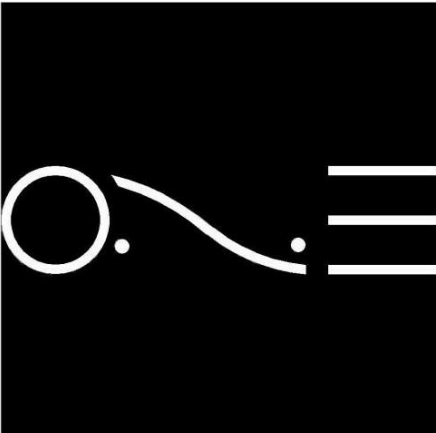
• NO WORK TO BE DONE ON FLOORS CELLAR, FIRST AND SECOND FLOORS IN THIS SCOPE

LEGEND

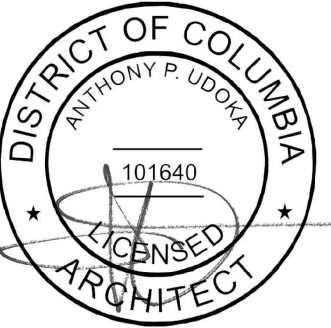
DEMO WALL	
EXISTING MASONARY WALL TO REMAIN	
EXISTING BRICK WALL TO REMAIN	
NEW WALL	
EXISTING WALL TO REMAIN	
SECTION/DRAWING REFERENCE	
PROPERTY LINE	



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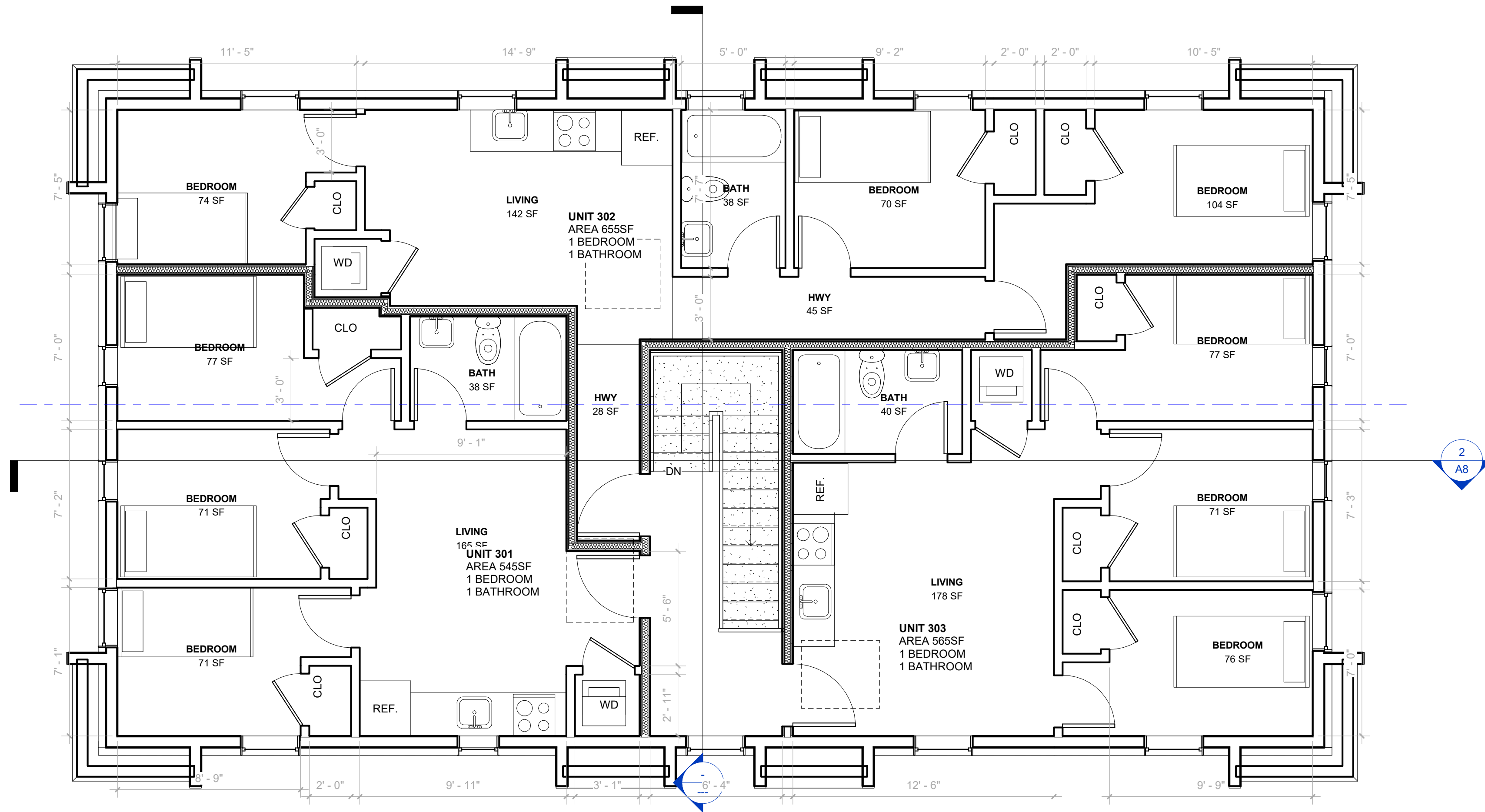


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EXISTING  
FLOOR PLAN

A4





1 3RD FLOOR PROPOSED  
1/4" = 1'-0"

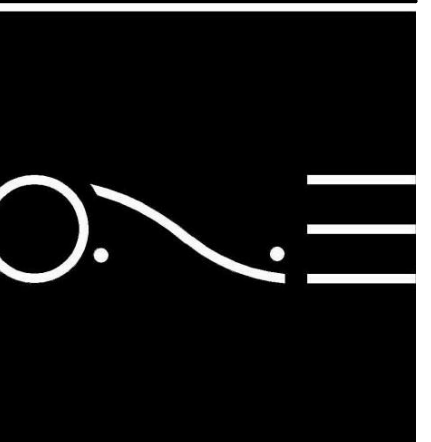
#### SCOPE OF WORKS

- NEW CONSTRUCTION FOR UNITS  
UNIT 301 - 302 - 303
- NO WORK TO BE DONE ON FLOORS  
CELLAR, FIRST AND SECOND  
FLOORS IN THIS SCOPE

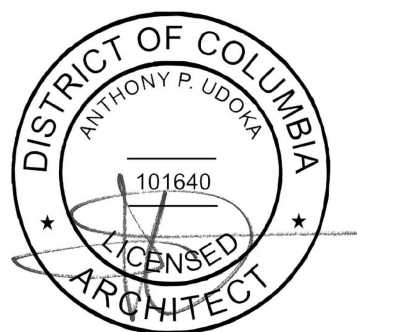
#### LEGEND

DEMO WALL	
NEW WALL	
EXISTING WALL	
EXISTING BRICK	
EXISTING CMU	
SECTION/DRAWING REFERENCE	
PROPERTY LINE	

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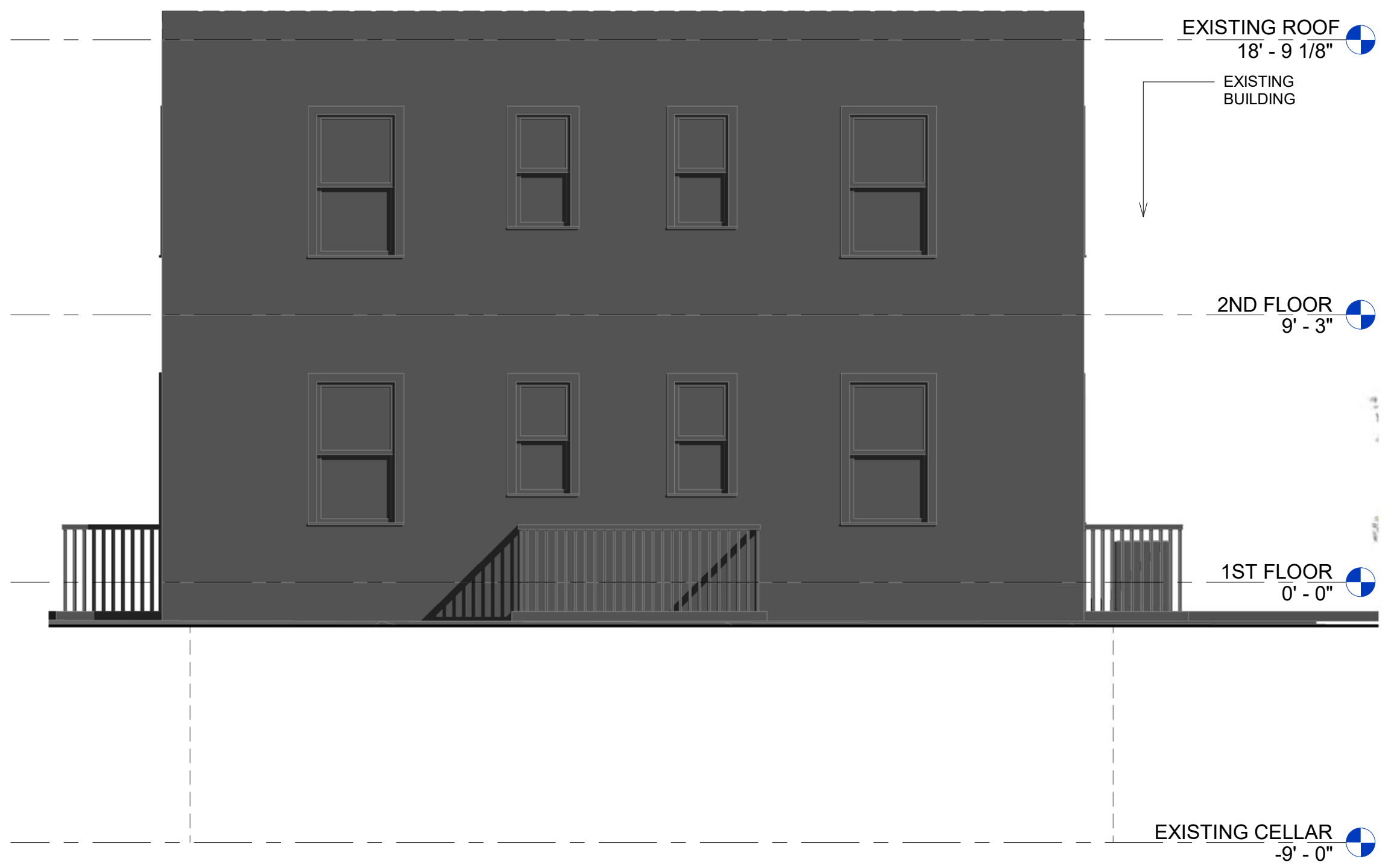


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PROPOSED  
FLOOR PLANS

A5

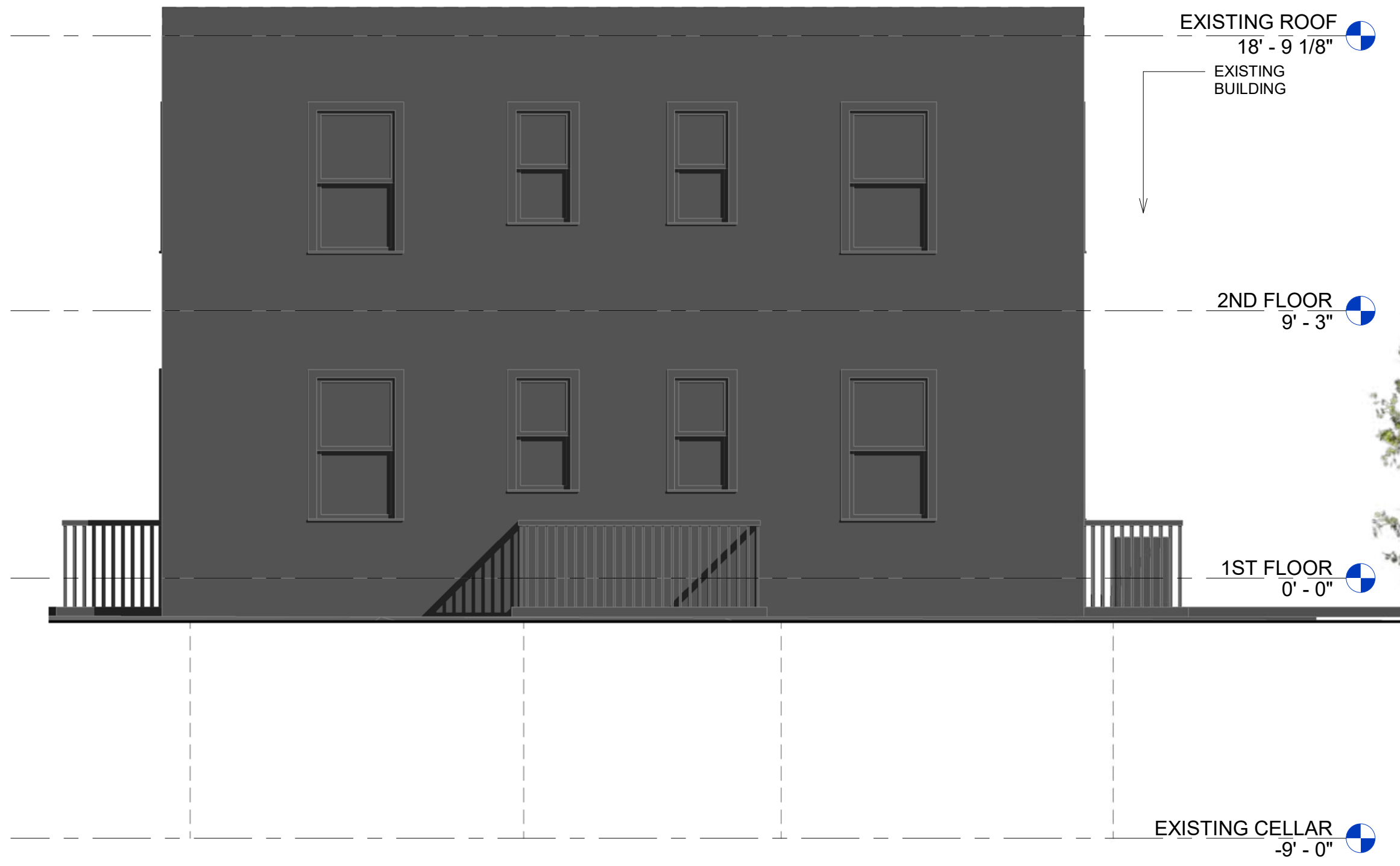




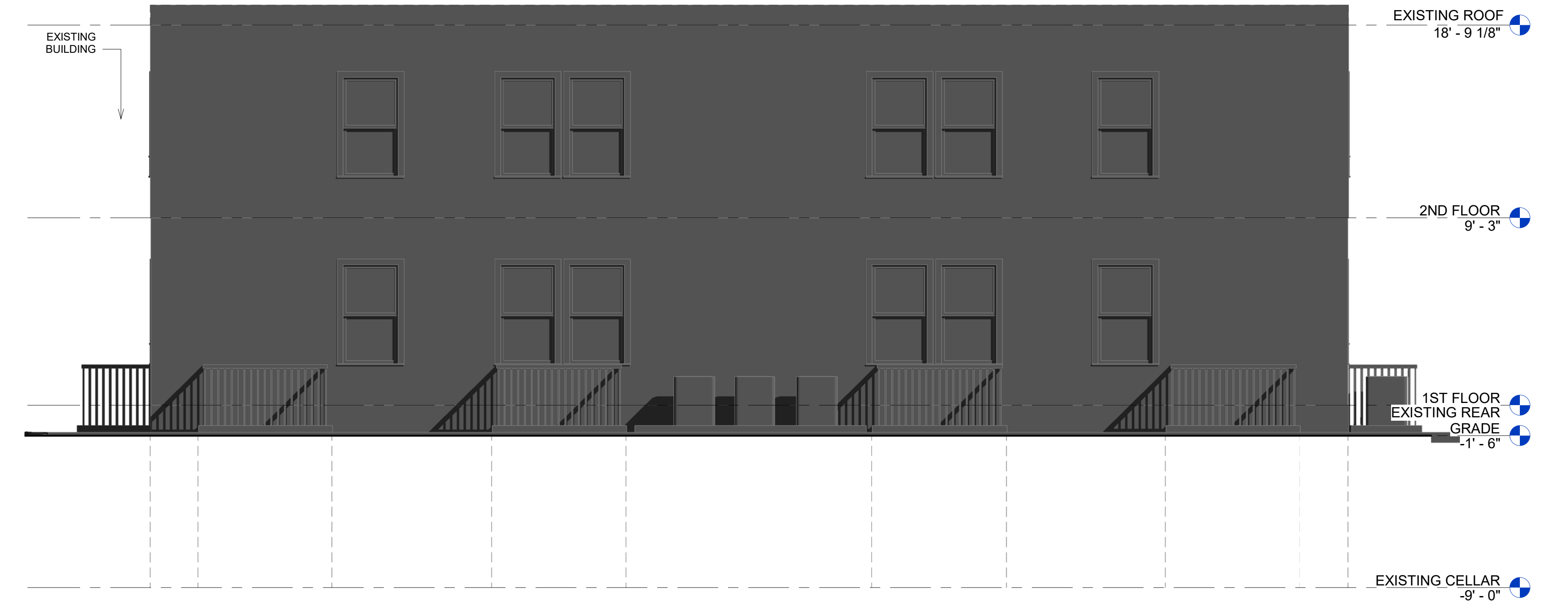
① EXISTING STREET SIDE ELEVATION  
1/4" = 1'-0"



② EXISTING FRONT ELEVATION  
1/4" = 1'-0"

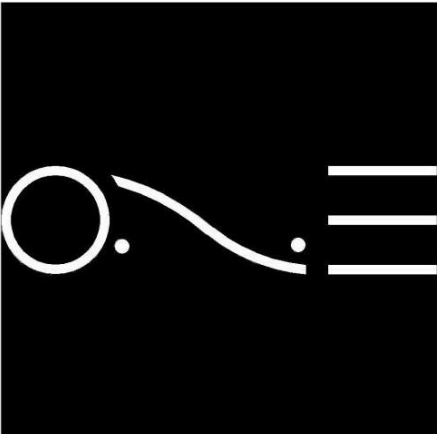


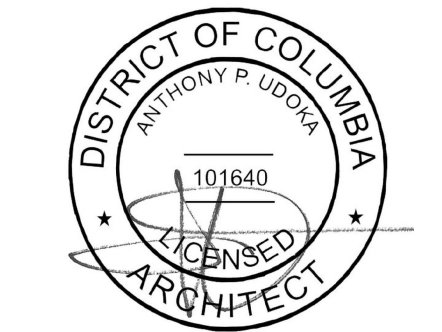
③ EXISTING LEFT ELEVATION  
1/4" = 1'-0"



④ EXISTING REAR ELEVATION  
1/4" = 1'-0"

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EXISTING  
ELEVATIONS

A6





① PROPOSED STREET SIDE ELEVATION  
1/4" = 1'-0"



② PROPOSED ENTRANCE SIDE ELEVATION  
1/4" = 1'-0"

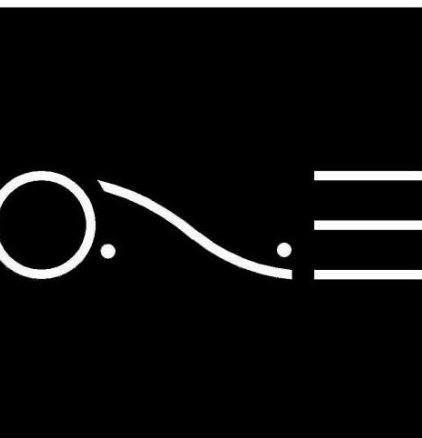


④ PROPOSED RIGHT ELEVATION  
1/4" = 1'-0"

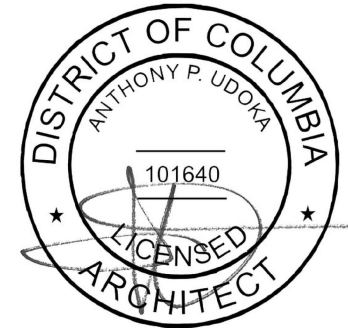


③ PROPOSED REAR ELEVATION  
1/4" = 1'-0"

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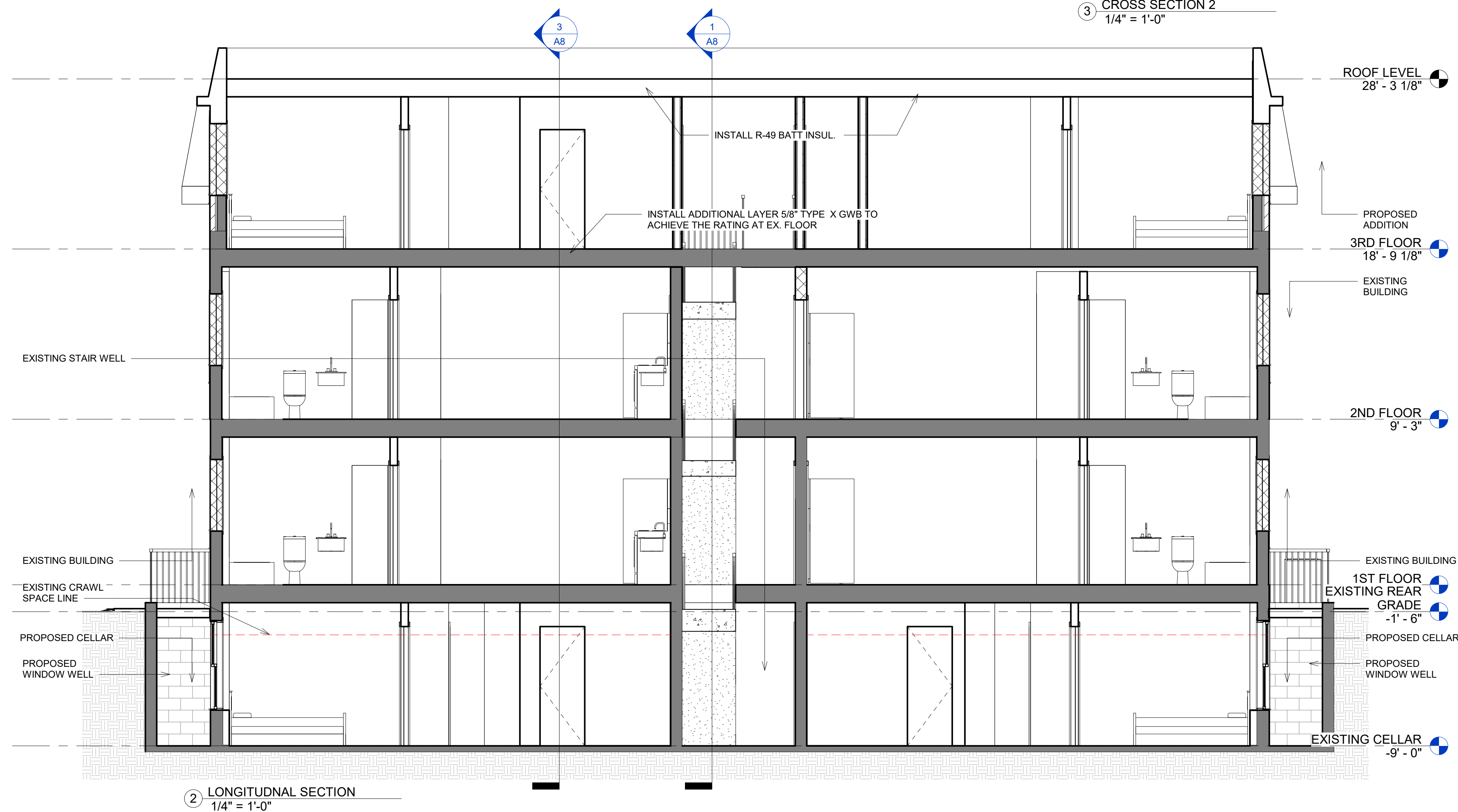
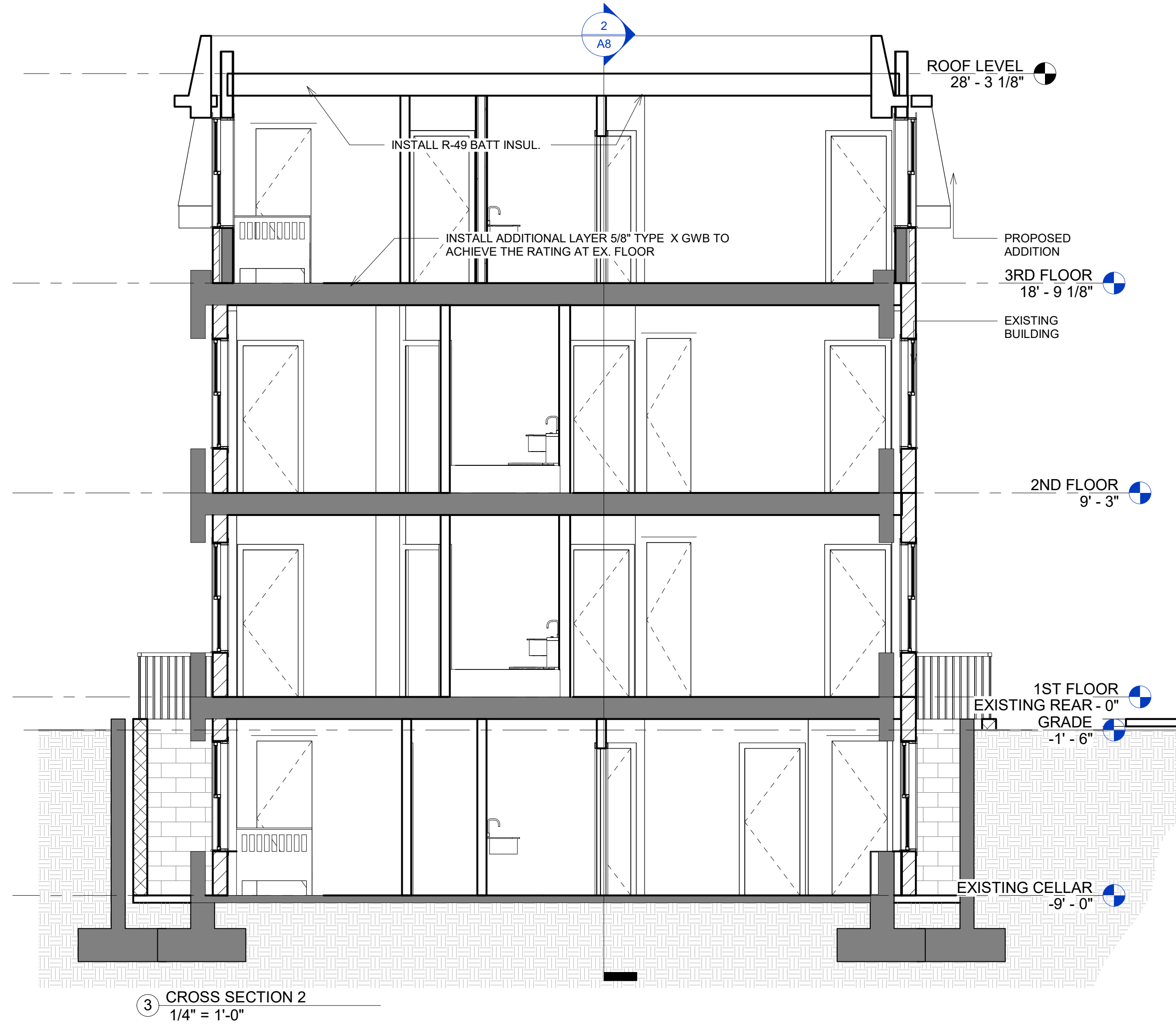
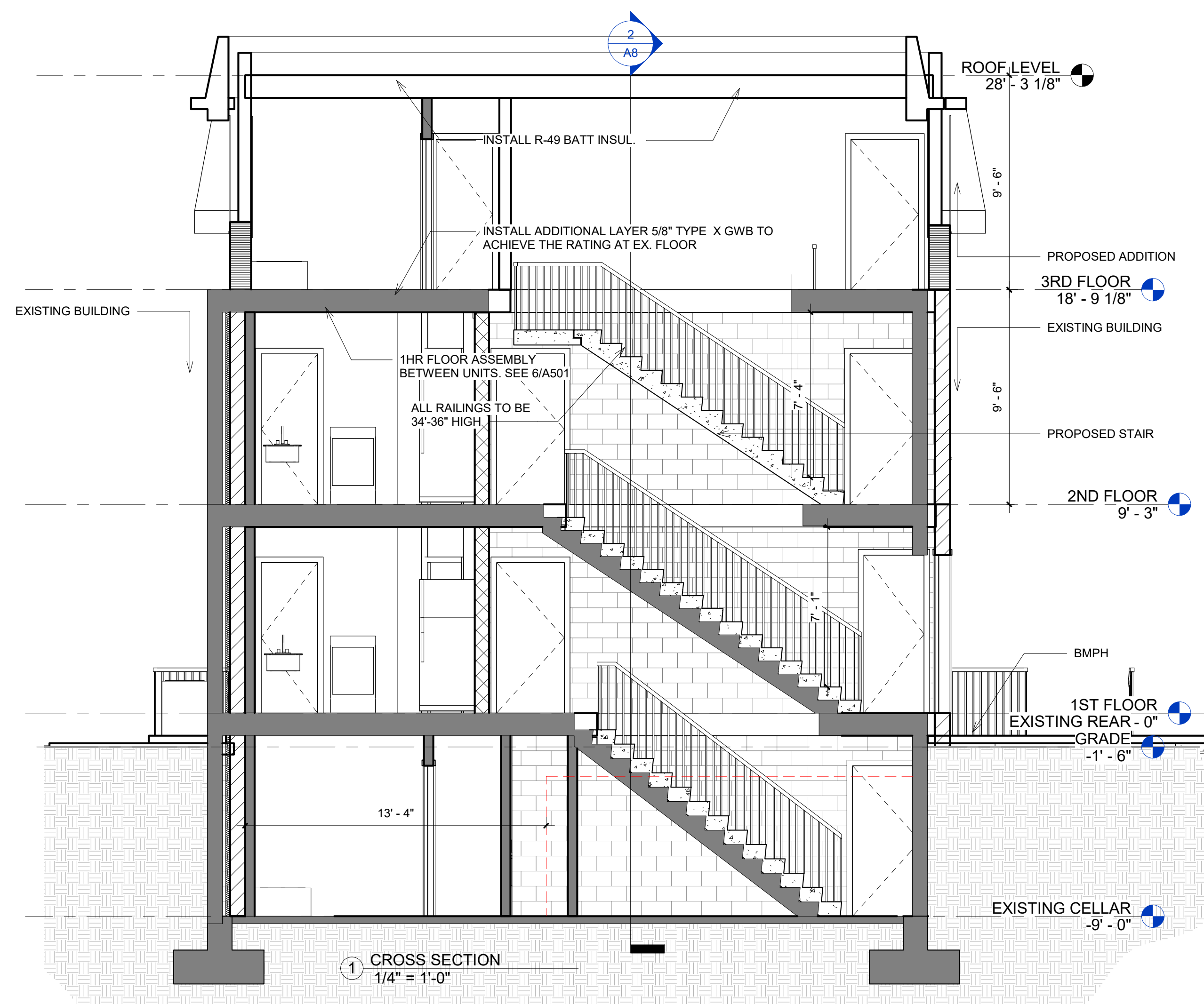


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**PROPOSED ELEVATIONS**

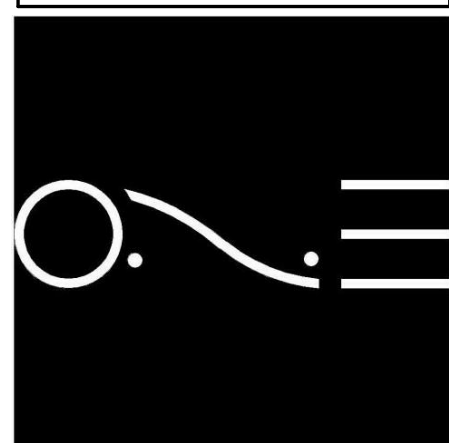
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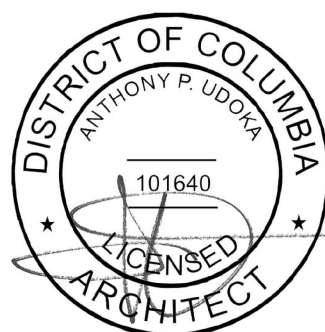
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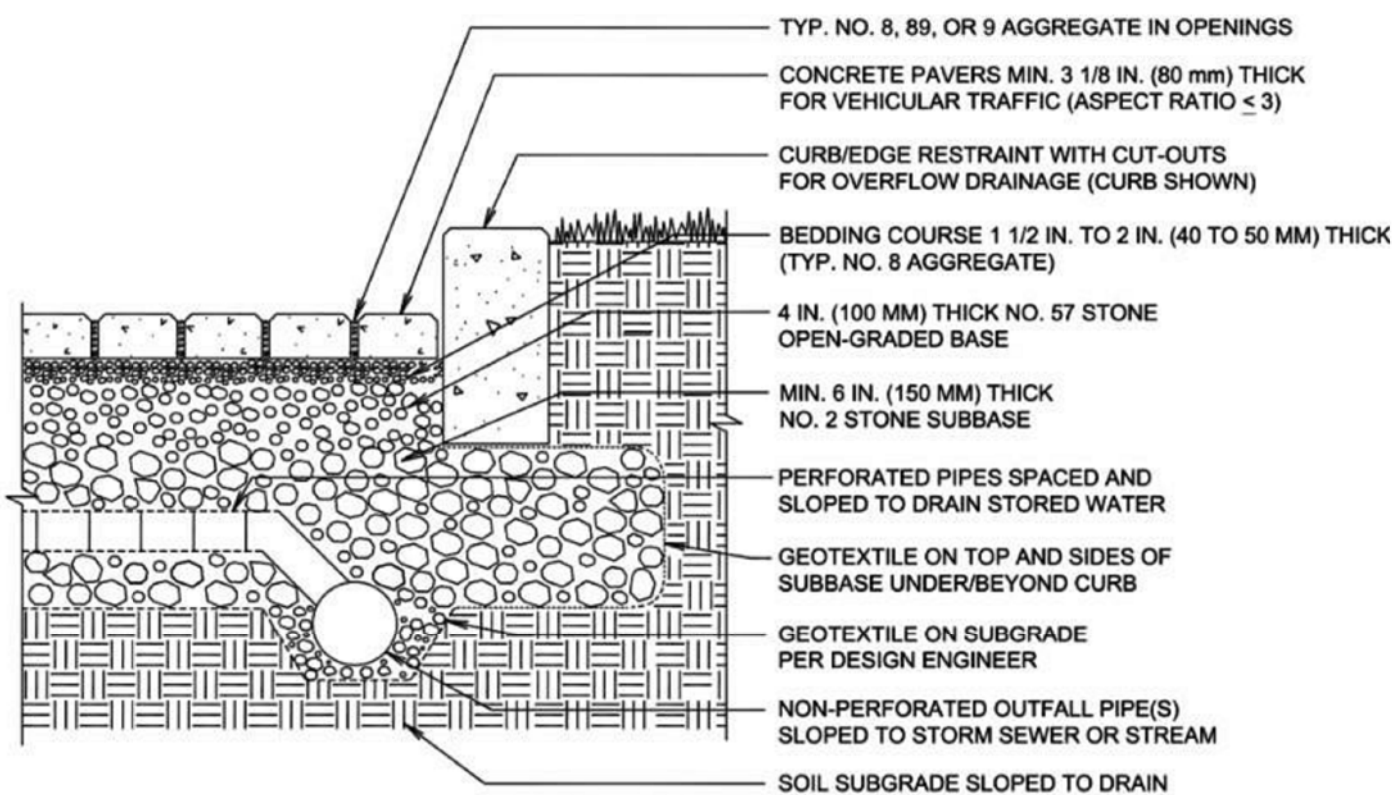
PROPOSED  
SECTION

A8



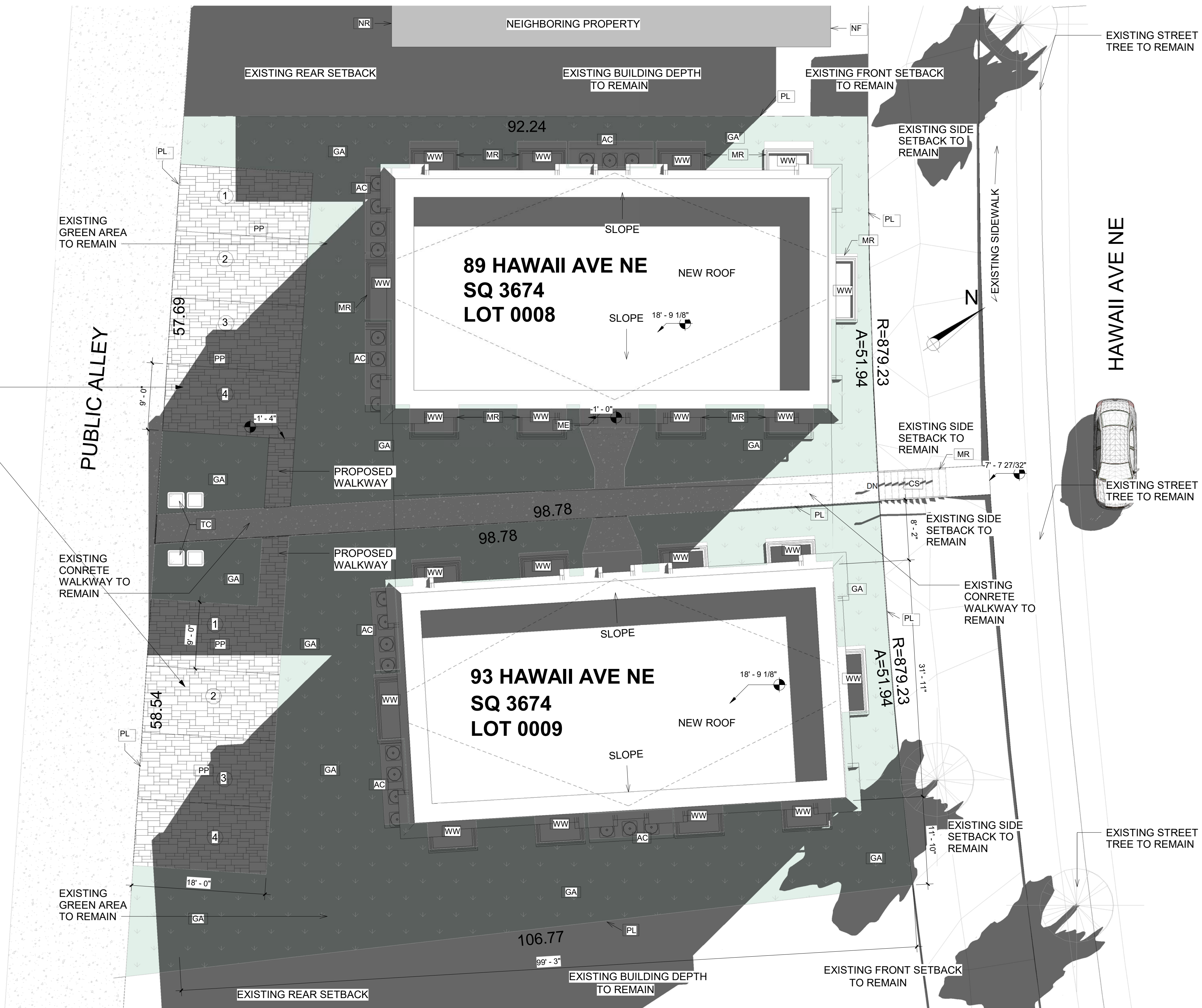


PERMEABLE PAVER SAMPLE



- NOTES:
1. 2 3/8 IN. (60 MM) THICK PAVERS MAY BE USED IN PEDESTRIAN AND RESIDENTIAL APPLICATIONS.
  2. NO. 2 STONE SUBBASE THICKNESS VARIES WITH DESIGN. CONSULT ICPI PERMEABLE INTERLOCKING CONCRETE PAVEMENT MANUAL.
  3. NO. 2 STONE MAY BE SUBSTITUTED WITH NO.3 OR NO.4 STONE.

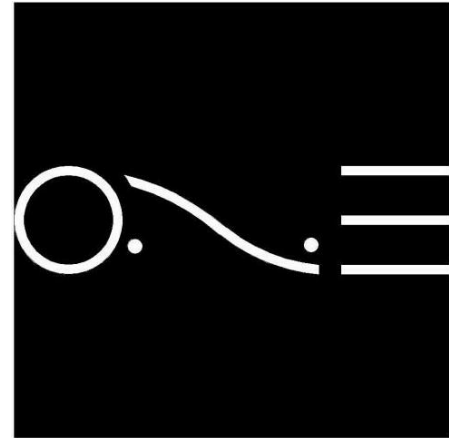
PERMEABLE PAVER / CURB DETAIL



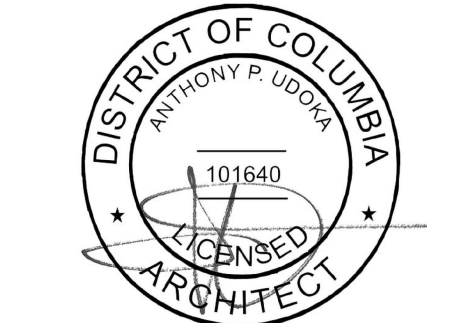
1 PROPOSED SITE PLAN LANDSCAPE  
1/8" = 1'-0"

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LANDSCAPE  
ANALYSIS

A9