

Government of the District of Columbia

Department of Transportation



d. Planning and Sustainability Division

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Anna Chamberlin, AICP *AC*
Associate Director

DATE: September 10, 2021

SUBJECT: BZA Case No. 20508 – 7 New York Avenue NE

APPLICATION

9 New York Ave, LLC (the “Applicant”), pursuant to Title 11 (2016 Zoning Regulations) of the District of Columbia Municipal Regulations (DCMR), Subtitle X, Chapters 9 and 15, requests special exceptions from the minimum loading berth requirements of Subtitle C §901.1, and from the penthouse height restrictions of Subtitle C §1500.9, to raze an existing three-story building and construct a 14-story 116-unit residential building with a penthouse. The site is in the D-5 Zone at 7 New York Avenue NE (Square 671, Lot 14) and is not served by a public alley.

SUMMARY OF DDOT REVIEW

The District Department of Transportation (DDOT) is committed to achieving an exceptional quality of life in the nation’s capital by encouraging sustainable travel practices, safer streets, and outstanding access to goods and services. As a means to achieve this vision, DDOT works through the zoning process to ensure that impacts from new developments are manageable within and take advantage of the District’s multi-modal transportation network.

The purpose of DDOT’s review is to assess the potential safety and capacity impacts of the proposed action on the District’s transportation network and, as necessary, propose mitigations that are commensurate with the action. After an extensive review of the case materials submitted by the Applicant, DDOT finds:

- The subject site is irregularly shaped and approximately 5,009 square feet (0.11 acres);

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- The Applicant proposes zero (0) off-street parking spaces for the 116-unit development, consistent with the parking requirements set by ZR16 and DDOT's preferred maximum parking rates;
- The Applicant is providing six (6) short-term bicycle parking spaces and 39 long-term parking spaces, consistent with zoning requirements;
- Due to site constraints, the Applicant requests zoning relief from the loading requirements including one (1) loading berth, one (1) loading platform, and one (1) service delivery space. To meet residential loading and trash pick-up needs, the Applicant proposes one on-street loading zone on N Street NE;
- DDOT supports the Applicant's request for loading relief and the Loading Management Plan (LMP) proposed in the August 25, 2021 Transportation Statement (Exhibit 30C) to facilitate the movement of trucks and minimize impacts from the lack of loading berth and service delivery space.

RECOMMENDATION

DDOT has reviewed the application materials and has determined that the proposed action will not have adverse impacts on the District's transportation network. DDOT has no objection to the approval of the requested special exception with the following condition:

- The Applicant shall implement the following Loading Management Plan (LMP), for the life of the project:
 - A loading zone manager will be designated by building management who will be on duty during delivery hours. The loading zone manager will be responsible for coordinating and scheduling loading activities with vendors and tenants and will work with the community and neighbors to resolve any conflicts should they arise.
 - Lease provisions will require all tenants to use only the designated loading zone for all deliveries and move-in and move-out activities through coordination with the loading zone manger.
 - All tenants will be required to schedule deliveries that utilize the loading zone (any loading operation conducted using a truck 20-feet in length or larger).
 - The loading zone manager will schedule deliveries using the loading zone such that the zone's capacity is not exceeded. If an unscheduled delivery vehicle arrives while the loading zone is full, that driver will be directed to return at a later time when the loading zone will be available so as to not compromise safety or impede N Street NE functionality.
 - Trucks using the loading zone will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the goDCgo Motorcoach Operators Guide, and the primary access routes shown on the DDOT Truck and Bus Route Map (godcgo.com/freight).
 - The loading zone manager will be responsible for providing suggested truck routing maps to the building's tenants and to drivers from delivery services that frequently utilize the development's loading zone as well as notifying all drivers of any access or egress restrictions. The loading zone manager will also distribute flyer materials, such as

the MWCOG Turn Your Engine Off brochure, to drivers as needed to encourage compliance with idling laws. The loading zone manager will also post these materials and other relevant notices in a prominent location within the loading area.

- The loading zone manager will ensure that double-parking does not occur adjacent to the loading zone and that trucks accessing the loading zone do not block vehicular or bike traffic along N Street NE.
- The Applicant will submit and receive approval from DDOT for a curbside management plan.

TRANSPORTATION ANALYSIS

Vehicle Parking

The overall parking demand created by the development is primarily a function of land use, development square footage, price, and supply of parking spaces. In urban areas, however, other factors contribute to the demand for parking, such as the availability of high-quality transit, frequency of transit service, proximity to transit, connectivity of bicycle and pedestrian facilities within the vicinity of the development, and the demographic composition and other characteristics of the potential residents.

Per §702.3 of the 2016 Zoning Regulations (ZR16), the Applicant is not required to provide vehicle parking for the proposed development because the site is located in a D zone. Per the Applicant's Architectural Plans, the Applicant is providing zero (0) off-street parking spaces, consistent with zoning requirements and DDOT's Preferred Vehicle Parking Rates per the *Guidance for Comprehensive Transportation Review*.

Bicycle Parking

Per §802.1 of ZR16, the Applicant is required to provide 39 long-term parking spaces and six (6) short-term parking spaces. The Applicant is providing six (6) short-term bicycle parking spaces and 39 long-term parking spaces, consistent with zoning requirements. The short-term parking spaces are proposed in public space adjacent to the building on New York Avenue; the Applicant should work with DDOT during public space permitting to determine a final location for the bike racks. The long-term bicycle parking spaces are proposed on the ground floor of the building adjacent to the service corridor.

Loading

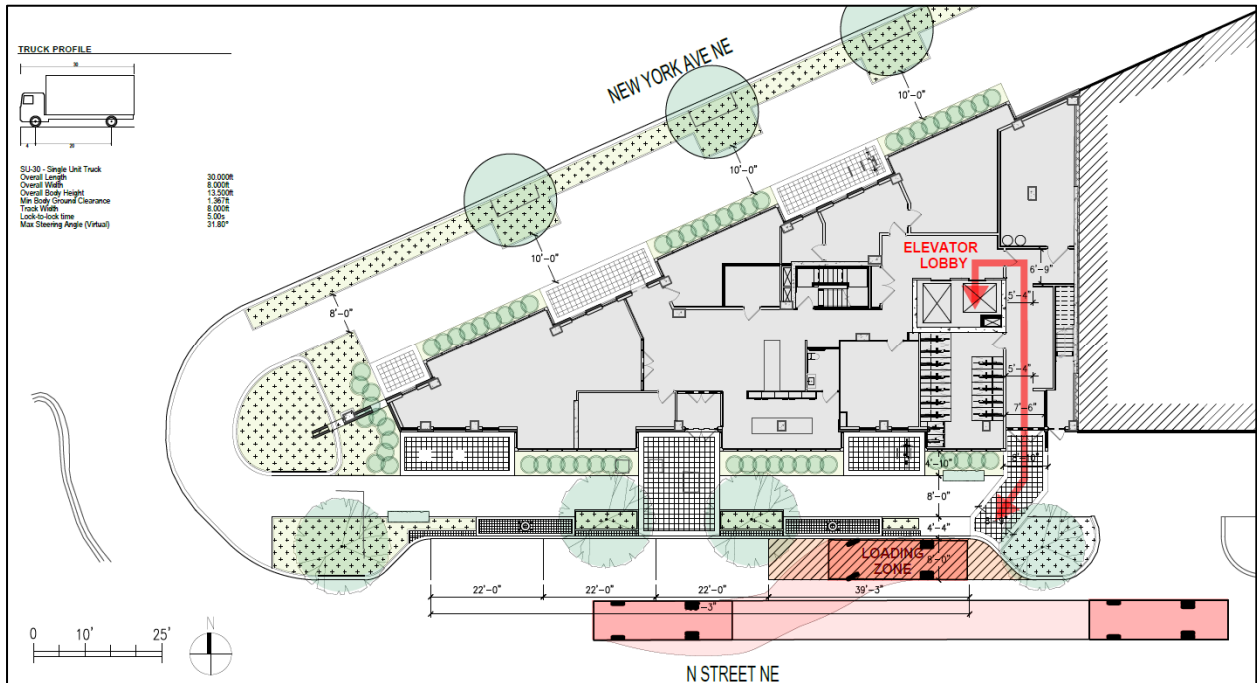
DDOT's practice is to accommodate vehicle loading in a safe and efficient manner, while at the same time preserving safety across non-vehicle mode areas and limiting any hindrance to traffic operations. For new developments, DDOT requires that loading take place in private space and that no back-up maneuvers occur in the public realm. Access to this building for loading and unloading, delivery and trash pick-up is an important consideration, and DDOT expects the Applicant to comply with DDOT's standards for loading.

Per Subtitle C §901.1 of the Zoning Regulations, residential buildings with more than 50 units are required to provide one (1) loading berth, one (1) loading platform, and one (1) service/delivery space. The Applicant is requesting relief from this requirement due to the irregular shape and small size of the site and proposes to accommodate residential loading activities within public space in a newly proposed loading zone on N Street NE. This loading zone will be used for move-ins and move-outs as well as trash collection.

The trash collection room is located on the ground floor and will be accessed through the service corridor that leads to N Street NE. Trash will be collected off of N Street NE in the designated loading zone. DDOT is generally supportive of the loading concept shown in Figure 1 below; however, formal approval of the on-street loading zone will occur during public space permitting, at which time the exact size of the loading zone and appropriate signage will be identified.

To adequately address loading needs and impacts from the requested relief, the Applicant has agreed to a Loading Management Plan (LMP) outlined in the Recommendation section and documented in the August 25, 2021 Gorove/Slade Transportation Statement (Exhibit 30C), which DDOT finds acceptable. The plan allows a loading zone within the curbside space on N Street NE and requires residents to reserve the space for move-in/move-out activities.

Figure 1 | Site Plan



Source: Applicant’s Prehearing Submission, Exhibit 30, 9/1/2021

STREETSCAPE AND PUBLIC REALM

DDOT’s lack of objection to this application should not be viewed as an approval of the public realm design. If the proposed development includes elements within District owned right-of-way, such as the bay windows, bike racks, special paving, and existing curb cut closures, the Applicant is required to pursue a public space permit through DDOT’s permitting process.

The site has two (2) existing curb cuts on New York Avenue and one (1) large curb on N Street NE. The Applicant is proposing to close all curb cuts and create a new curb line with recessed on-street parking spaces the north side of N Street NE. The Applicant will need to apply for a public space permit to allow for further DDOT review and approval. As a condition of the LMP, the Applicant will include a Curbside Management Plan as part of the public space permit for the proposed development to determine the exact size and signage for the loading zone in public space on N Street NE.

DDOT expects the adjacent public realm to meet all District standards. The Applicant should refer to Titles 11, 12A, and 24 of the [DCMR](#), the most recent version of DDOT's [Design and Engineering Manual \(DEM\)](#), and the [Public Realm Design Manual](#) for public space regulations and design guidance. A permit application can be filed through the DDOT [Transportation Online Permitting System \(TOPS\)](#) website.

AC:kv