

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: March 24, 2023

SUBJECT: BZA Case 20861 (3315 12th St NE) To construct a new three-story, with cellar, 12-unit, apartment house in the MU-3A zone.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Parking, Subtitle C § 701, pursuant to Subtitle C § 703.2 (Existing: none; Proposed: none).

At Exhibit 20/21 is information from the applicant noting that previously requested penthouse relief has been withdrawn, following discussions with OP that the penthouse relief would not be supported. The applicant indicated that plans showing a conforming penthouse will be provided; the OP recommendation is contingent on those plans being provided to the record and referenced in the Order. OP also agrees with the ANC that A/C units currently showing on the plans in the rear yard should be moved to the roof – the revised plans should also show this change.

II. LOCATION AND SITE DESCRIPTION

Address	3315 12 th Street NE
Applicant	Caradoc Properties LLC
Legal Description	Square 3930, Lot 27
Ward, ANC	Ward 5, ANC 5B
Zone	MU-3A, intended to permit low-density mixed-use development
Historic District	None
Lot Characteristics	The lot is elevated off 12 th Street with a small retaining wall at the property line.
Existing Development	Currently developed with a single-family detached residence.
Adjacent Properties	Single-family detached homes are to the east and west. Across 12 th Street a church and a school. There are small commercial uses on 12 th Street.
Surrounding Neighborhood Character	The surrounding neighborhood consists of a mix of single-family and small apartment residential uses, institutional and small commercial uses.
Proposed Development	The Applicant proposes to redevelop the site with a new three-story, 12 unit with cellar, apartment building. Relief from parking is requested since the property does not abut an alley and curb cuts would not be granted to provide on-site parking.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – MU-3A	Regulation	Existing	Proposed	Relief
New Residential Development	Permitted	Single family unit	New three-story plus cellar apartment house with 12 units	None required
Dwelling Units	-	-	12 units	None required
Lot Width	--	35 feet	No change	None required
Lot Area	--	3,500 sq. ft.	No change	None required
Floor Area Ratio G § 402	1.0 max.; 1.2 max for IZ	-	1.2 (IZ)	None required
Height G § 403	40 ft. 3 stories	-	37.9 ft.	None required
Penthouse Height G § 303	12 ft. max. 1 story	--	Not provided	None required
Lot Occupancy G§ 404	60% max.	-	58%	None required
Rear Yard G § 405	20 ft. min.	-	16 ft. 2ins	None required
Side Yard G§ 406	If provided 2 in/1 ft.	-	8 ft	None required
Green Area Ratio G § 307	0.3	-	Not provided	None requested
Inclusionary Zoning C § 1003	If bonus density is used = 1 unit	--	Bonus density used; 1 unit proposed	None required
Parking C § 701	1 per 3 dwelling units > 4 units = 1 space (50% reduction near metro)	-	0 spaces	Sp. Ex. Requested
Bicycle Parking C § 802	1 per 3 du's = 2 long-term	0 spaces	8 long-term spaces	None required

IV. OFFICE OF PLANNING ANALYSIS

a. **Special Exception: Parking (Subtitle C § 703)**

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant’s demonstration to the Board’s satisfaction of at least one (1) of the following:*

The proposal addresses a number of these criteria; relevant criteria with OP analysis, is below:

(a) Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;

The property is constrained as it is an interior lot with no alley access.

(b) The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;

The site is well-served by bus access and is located on a well-traveled route including within ¼ mile of a Priority Corridor Network on Rhode Island Avenue and to the Brookland Metro Station. The development would include up to 8 secure on-site bicycle parking spaces, more than required.

(c) Land use or transportation characteristics of the neighborhood minimize the need for required parking spaces;

The neighborhood is well-served with several bus routes that connect with different District neighborhoods and is within walking distance to grocery, restaurants and other neighborhood retail establishments.

(d) Amount of traffic congestion existing or which the parking for the building or structure would reasonably be expected to create in the neighborhood;

The twelve units proposed for the new apartment structure are not anticipated to create additional traffic in the neighborhood. The ANC has requested that new residents of the building be denied RPP to mitigate impacts to the on-street parking supply in the immediate neighborhood.

(e) The nature of the use or structure or the number of residents, employees, guests, customers, or clients who would reasonably be expected to use the proposed building or structure at one time would generate demand for less parking than the minimum parking standards;

The residential use is required to provide one on-site parking space, as it is proximate to the Brookland Metro Station.

(h) The property does not have access to an open public alley, resulting in the only means by which a motor vehicle could access the lot is from an improved public street and either:

- (1) A curb cut permit for the property has been denied by the Public Space Committee; or*
- (2) Any driveway that could access an improved public street from the property would violate any regulation of this chapter, of the parking provisions of any other subtitle in the Zoning Regulations, or of Chapters 6 or 11 of Title 24 DCMR;*

The property does not have access to an alley. A curb cut for this property would most likely not be permitted. DDOT has indicated in prior reports that provision of a curb cut where no alley access exists would create pedestrian vehicle conflict and can result in the loss of more or more on-street parking spaces.

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Subtitle X § 901.2

901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:

(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

On-site parking is not currently provided and there are no existing curb cuts or access to an alley. A curb cut would not be granted by DDOT to access on-site parking due to the location of the site at the corner of two streets and the potential for pedestrian-vehicle conflicts. Further, a curb cut would likely result in the loss of one or more on-street parking spaces. Therefore, the request is in harmony with the general purpose and intent of the Zoning Regulations and Zoning maps.

(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;

The requested relief for one parking space would not adversely affect the use of neighboring property. The neighboring property also does not provide on-site parking.

V. OTHER DISTRICT AGENCIES

The District Department of Transportation's report is not included in the record to date.

VI. ADVISORY NEIGHBORHOOD COMMISSION

The ANC5B voted in support, with conditions, at its regularly held meeting on 3/15/2023, included at [Exhibit 19](#).

VII. COMMUNITY COMMENTS TO DATE

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

Location Map

