

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Crystal Myers, Case Manager
JL Joel Lawson, Associate Director, Development Review
DATE: July 5, 2023
SUBJECT: BZA #20927 – 1015 Rhode Island Avenue, NE –Special Exception relief to construct a new residential development

I. RECOMMENDATION

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

- U § 421 – Special exception review for all new multi-family projects in the RA-1 zone

Prior to the public hearing, the Applicant should submit the existing grading plan for the property to the record.

II. LOCATION AND SITE DESCRIPTION

Applicant	Sullivan and Burros on behalf of Congressional 1015 Rhode Island, LLC
Address	1015 Rhode Island Avenue, NE
Legal Description	Square 3870, Lot 53
Ward / ANC	5, 5C
Zone	RA-1, low density apartment zone
Historic Designation	None
Lot Characteristics and Existing Development	45-ft. x 110-ft. rectangular lot with a 15-ft. public alley in the rear.
Existing Development	Single-dwelling detached house
Adjacent Properties and Surrounding Neighborhood Character	The adjacent properties are an apartment building to the east and a single-dwelling house to the west. This square is also the location of many other recent similar 8-unit apartment building conversion special exception cases, (BZA 20539, 20547, 20203). The neighborhood has a mix of single-dwelling houses and small apartment buildings. The Rhode Island Avenue metro station is approximately ¼ mile away, and there is a significant amount of commercial development nearby on Rhode Island Ave. NE.
Proposed Development	Construct an 8-unit apartment building.

III. ZONING REQUIREMENTS¹

Section	Requirement	Proposed	Relief
Lot Area F § 201.4	N/A	4,950 sq.ft.	Conforming
Lot Width F § 201.4	N/A	45 ft.	Conforming
FAR F § 302	0.9 max.	0.9	Conforming
Height F § 303	40 ft. and 3 stories max.	33 ft. 6 in. 3 stories + cellar	Conforming
Lot Occupancy F § 304	40% max.	32%	Conforming
Rear Yard F § 305	20 ft. min.	55 ft.	Conforming
Side Yard F § 306.2(a)	3 in. per ft. of height but not less than eight feet (8 ft.) min. = 8.4 ft. required	East – 8 ft. 6in West – 9 ft. 6in	Conforming
GAR F § 307	0.4 min.	Not provided	Will be required to conform
Vehicle Parking C § 701	1 per 3 units in excess of 4 units = 2 spaces min.	4 spaces	Conforming

IV. LOCATION MAP



¹ Information provided by applicant.

V. ANALYSIS

General Special Exception Criteria – X § 901

X § 901.2(a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;

The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including low-rise apartments, which are permitted with the approval of a special exception, as has been requested in this case. The proposed building would be within the development standards of the zone, so its height and massing would be consistent with the zone. Therefore, the request is in harmony with the general purpose and intent of the Zoning Regulations and Zoning maps.

X § 901.2(b) Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps;

As addressed in the analysis below, the requested special exception would not appear to adversely affect the use neighboring property.

Special Exception for New Residential Development – U § 421

421 *NEW RESIDENTIAL DEVELOPMENTS (RA-1 and RA-6)*

421.1 *In the RA-1 and RA-6 zones, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section.*

The application proposes a new multi-family development, a permitted use in the RA-1 zone.

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*

The application was referred to the Office of the State Superintendent for Education (OSSE) at Exhibit 16. While comments were not received, the 2019-2020 DME Master Facilities Plan presents the following utilization data for the relevant public schools:

Noyes Elementary – 60% utilization
Brookland Middle – 67% utilization
Dunbar High – 57% utilization

- (b) *Public streets, recreation, and other services to accommodate the residents that can be expected to reside in the project.*

OP defers to the District Department of Transportation (DDOT) to comment on the adequacy of the public streets and transportation infrastructure. The application was referred to DDOT at Exhibit 15 and DDOT informed OP that they have no objection to the proposal. The application was referred to the Department of Parks and Recreation (DPR) at Exhibit 16. While comments from DPR were not received, the site is approximately 0.3 miles away from the Noyes Park and 0.6 miles from Brentwood Recreation Center.

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.*

According to the final plans in Exhibit 17A the proposed building should not negatively impact the adjacent properties or the surrounding neighborhood. The building would be constructed within the development standards of the RA-1 zone so it should not have an undue impact on the light, air, or privacy of the adjacent neighbors.

The proposed 3-story building would sit between a 12-unit 3-story apartment building to the east and a single-dwelling 2-story house to the west. Further west down along this side of the street are other recently converted apartment buildings.

The proposed apartment building would appear as a transition between the single-dwelling house and the larger 12-unit apartment building, through the incorporation of architectural features and building materials that are similar to those used on the neighboring house.

The building's main entry would be on its eastern side and a walkway/ ramp would lead to the street. In the rear, on-site parking would be provided, with four spaces being double the requirement. The property would be surrounded on three sides by a privacy fence. The trash area would be located in the rear along the eastern side behind the privacy fence so it should not be objectionable to neighbors.

421.4 *In addition to other filing requirements, the developer shall submit to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.*

The application includes plans, photographs, elevations, renderings, and the final grading plan but it is missing the existing grading plan. The applicant should provide the existing grading plan by the time of the public hearing.

VI. COMMENTS OF OTHER DISTRICT AGENCIES

In an email to OP, DDOT stated they have no objection to the proposal. As of this writing there are not comments in the record from other District agencies.

VII. ANC COMMENTS

As of this writing ANC 5C has not submitted comments to the record.

VIII. COMMUNITY COMMENTS

As of this writing the record contains no comments from members of the community.