

**BZA Case 21197**  
**10 Q Street NW**  
**Applicant: 10Q NW, LLC (Mi Casa)**



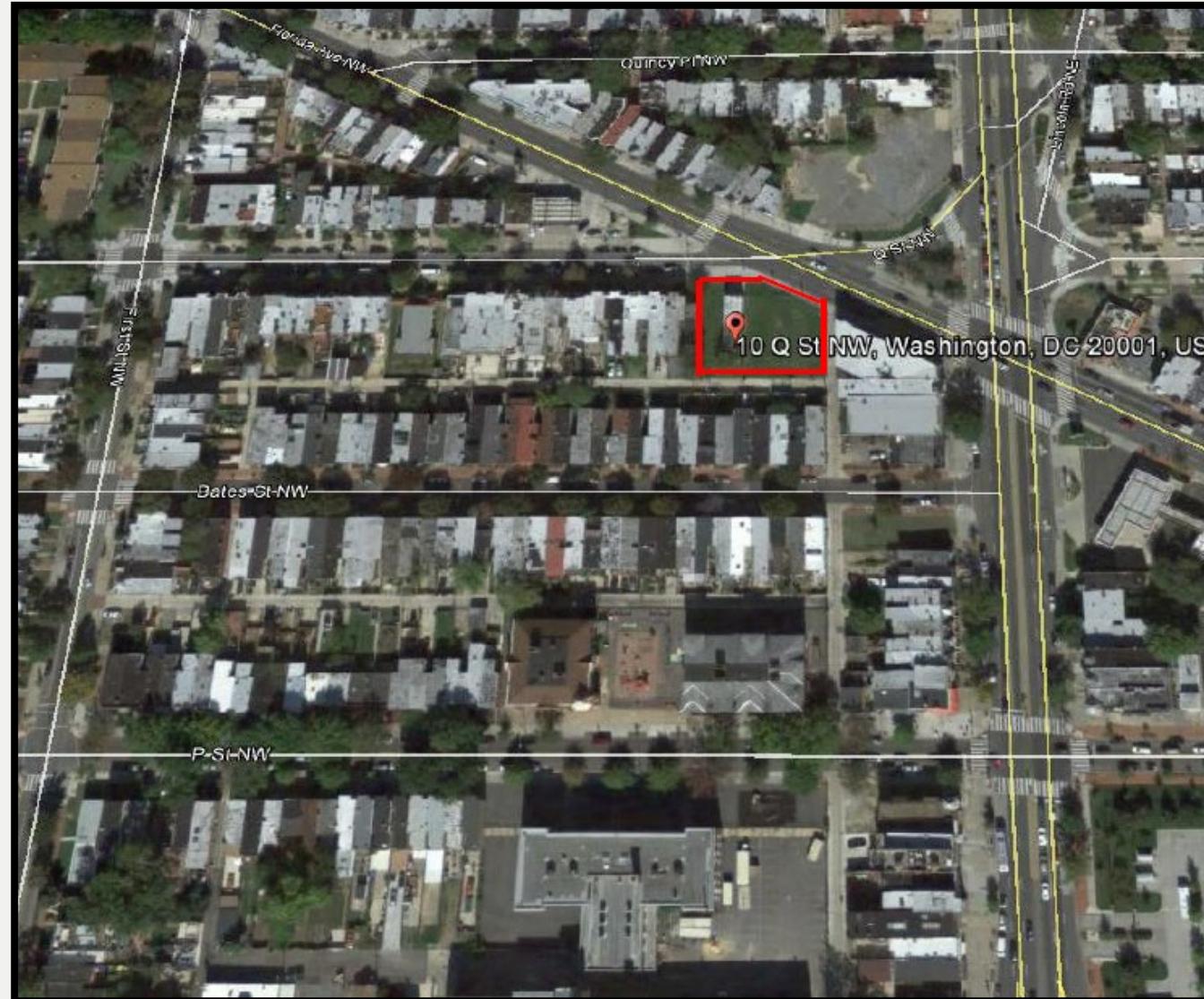
Board of Zoning Adjustment

District of Columbia

CASE NO. 21197

EXHIBIT NO. 22

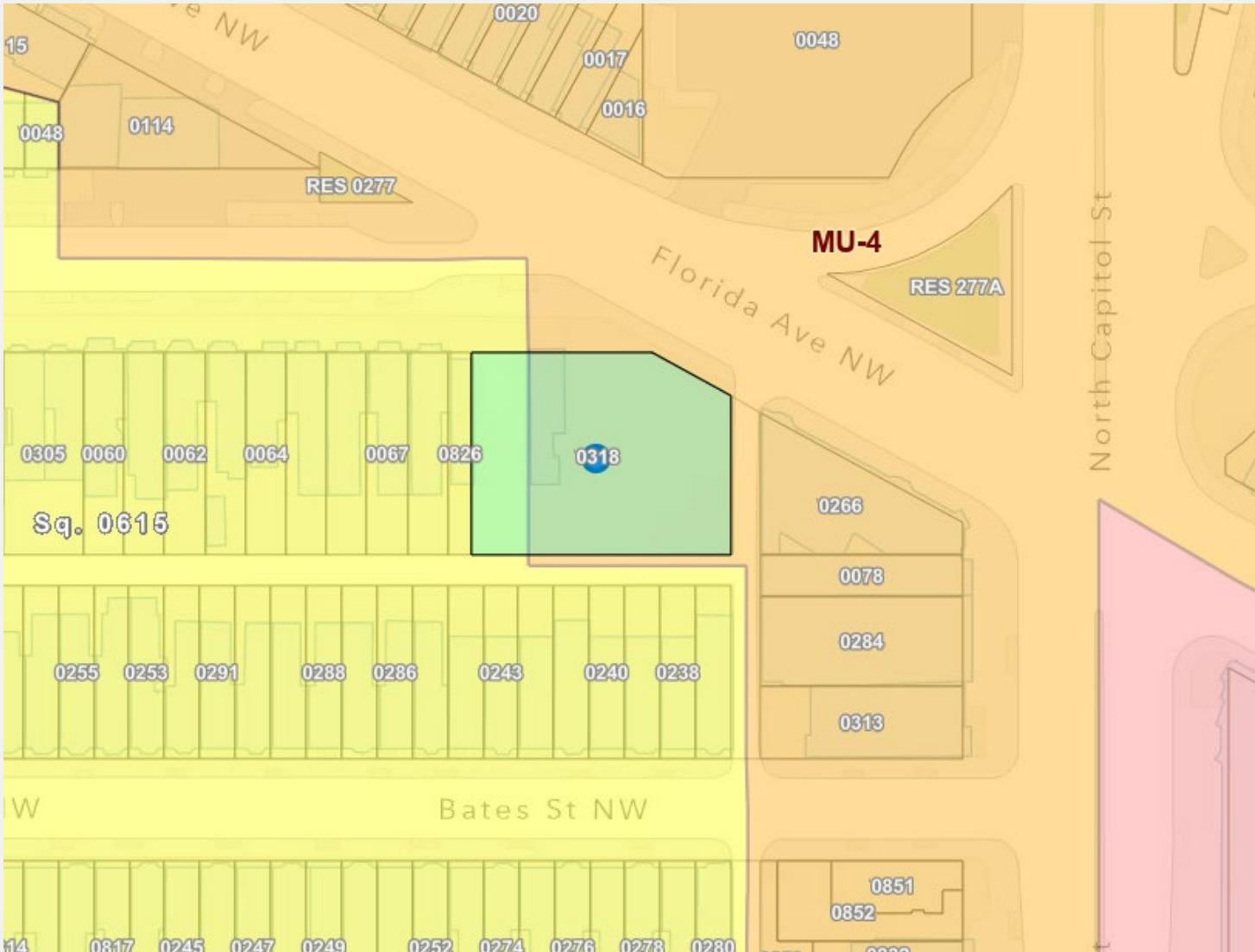
# The Property – Florida Avenue and Q Street NW



# The Property – Existing Conditions



# Zoning Map



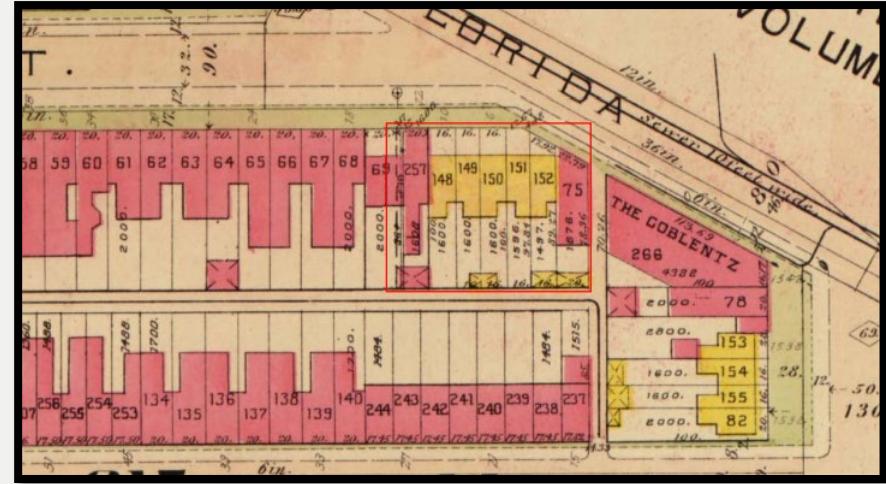
# The Applicant

- Mi Casa, Inc. is a non-profit organization with over 27 years of experience providing affordable, family-sized housing in the District
- Promotes access to affordable housing across the District, preserving diverse neighborhoods and preventing displacement of low-income residents
- Transform and renovate abandoned homes or vacant lots into high quality, energy efficient single-family homes for first-time home buyer
- Preserve existing and building new affordable multi-family rental housing



# Project History

- In 2014, DHCD's Property and Acquisition Disposition Division issued Solicitation of Offers to redevelop long-vacant property
- In 2018, DHCD awarded the Property to Mi Casa
- In 2019, Mi Casa applied for zoning relief and BZA approved case no. 20095
  - Same relief requested today
  - ANC 5E supported that case
- BZA order was not vested within two years of Order issuance
  - Mi Casa encountered challenges in conveyance of property from DHCD as well as COVID-19 related delays



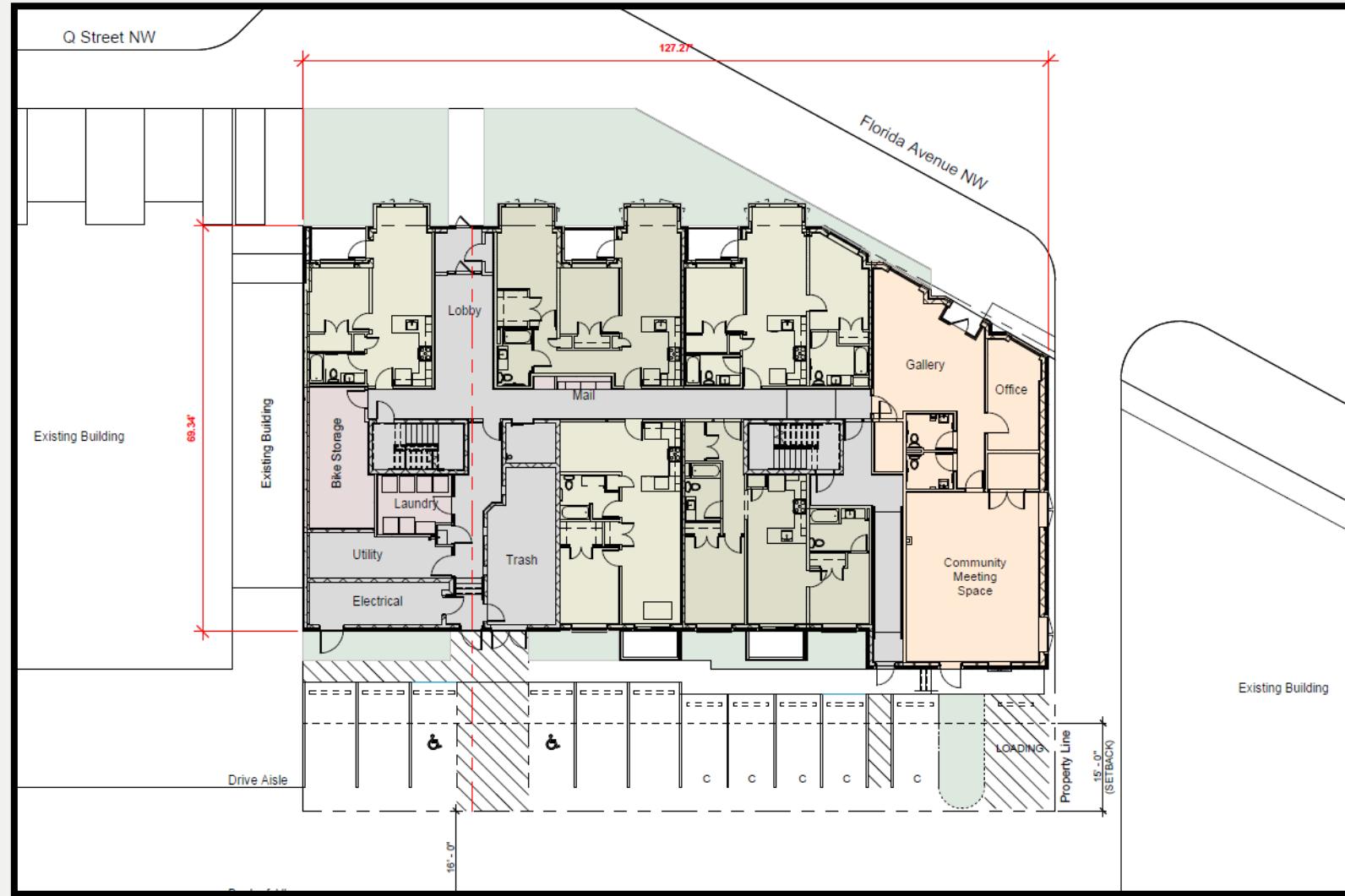
# The Project

- Four-story building with 29 all-affordable dwelling units
  - 75% of units will be either two- or three-bedroom units
  - DHCD required 40-year affordability covenant with half of units at or below 50% AMI
- Ground floor will have lobby, community art gallery and community meeting space
- 11 parking spaces and loading area to rear of building
- As compared to 2019 proposal:
  - Only material change is removal of ground level retail space and replacement with 5 residential units and art gallery space
  - Same zoning relief
    - Special exception and variance to extend use and bulk allowances of MU-4 zone to the RF-1 zoned portion of the property
    - Loading relief no longer required
  - Building envelope is the same

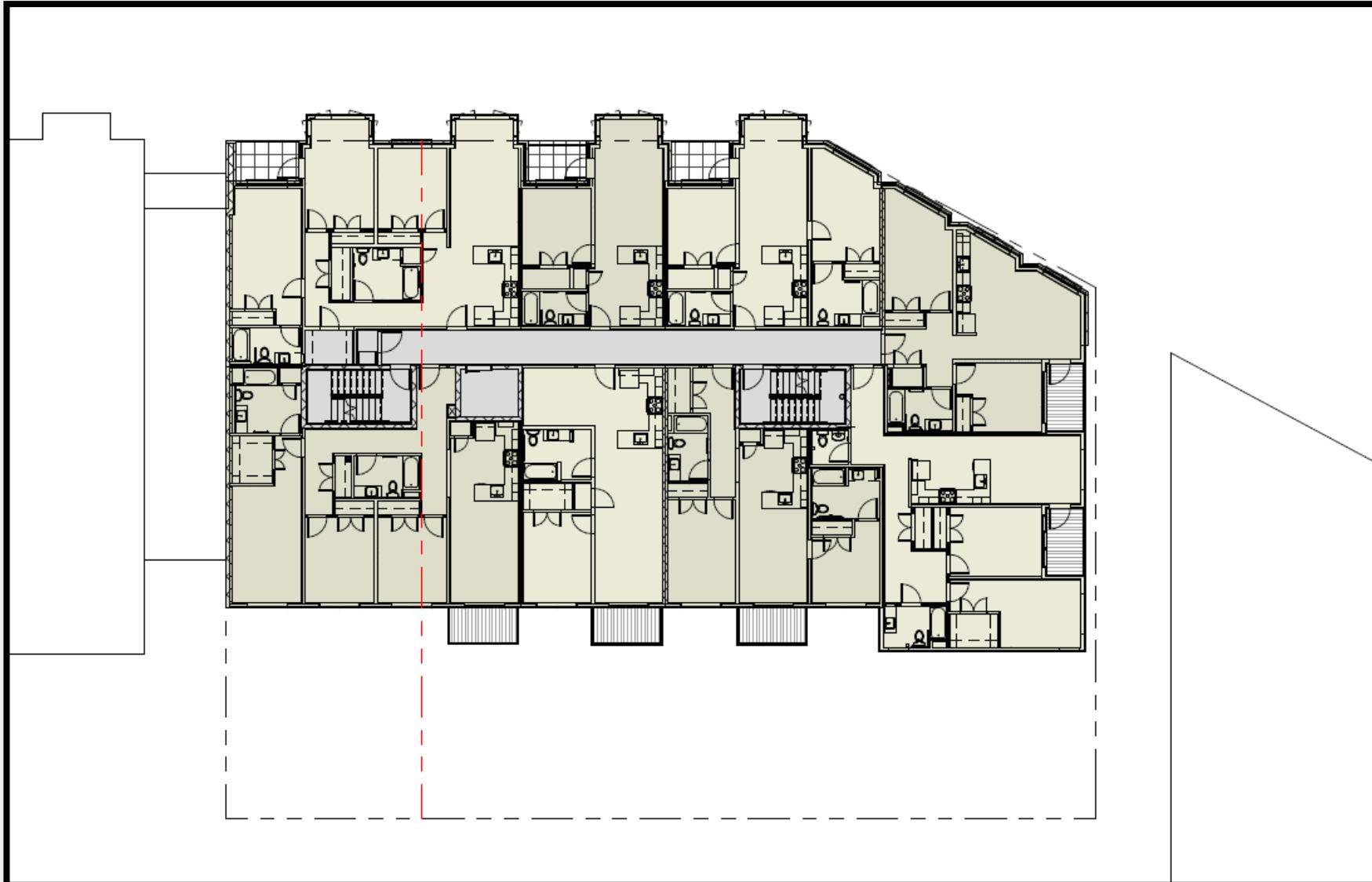
# Community Outreach

- Unanimous support from ANC 5E (Ex. 17)
- Office of Planning recommends approval of both areas of relief (Ex. 20)
- DDOT has no objection (Ex. 18)

# Site Plan/Ground Floor Plan



# Typical Floor Plan (2<sup>nd</sup> – 4<sup>th</sup>)



# Rendering – Florida Avenue Looking Southwest



# Rendering – Q Street Looking East



# Rendering – Q Street Looking East



# Zoning Relief

## Special Exception Relief

### Subtitle A § 207.2 – Zone Boundary Line Crossing Lot

- Allows Project to Extend bulk and use provisions of MU-4 portion of property to RF-1 portion of property

- RF-1 zone does not allow multi-family and would limit height to 35 ft. and lot occupancy to 40%

## Variance Relief

### Subtitle A § 207.1 – Preamble to Subtitle A § 207.2

- Zone bulk and uses can be extended only “when a zone boundary line divides a lot that was in single ownership on May 12, 1958.”

# Special Exception Relief – Zone Boundary Line Crossing Lot

## ***Relief is harmonious with purpose and intent of Zoning Regulations***

- Allows modest increase in density on a main thoroughfare with excellent access to public transit
- Increases number of family-sized affordable units
- Aligns with pattern of development along Florida Avenue and North Capitol Street
  - The “Truxton” is across alley is a similar, moderate-density mixed-use building in MU-4 zone
  - The “Florian” is a large new development across North Capitol Street

## ***Relief will not Adversely Affect Use of Neighboring Property***

- Height and massing are consistent with MU-4 zone
- Nearby multi-family developments
- Steps down toward RF-1 zone along Q Street
- 24-foot rear yard provides adequate buffer for neighbors across alley to the south

# Special Conditions – Zone Boundary Line Crossing Lot

**(a) The extension shall be limited to that portion of the lot in the more restrictive use zone but not exceeding thirty-five (35 ft.)**

**(b) In authorizing an extension, the Board of Zoning Adjustment shall require compliance with Subtitle A § 207.1(d)**

**(c) The extension shall have no adverse effect upon the present character and future development of the neighborhood**

- Project will improve a long vacant and underutilized assemblage of lots on a major thoroughfare
- All-affordable project in amenity-rich neighborhood
- Project steps down toward RF-1 zone on Q Street
- Residential architectural features include bay window projections and beautification of public space
- Buffered by alley and 24-foot rear yard to the south

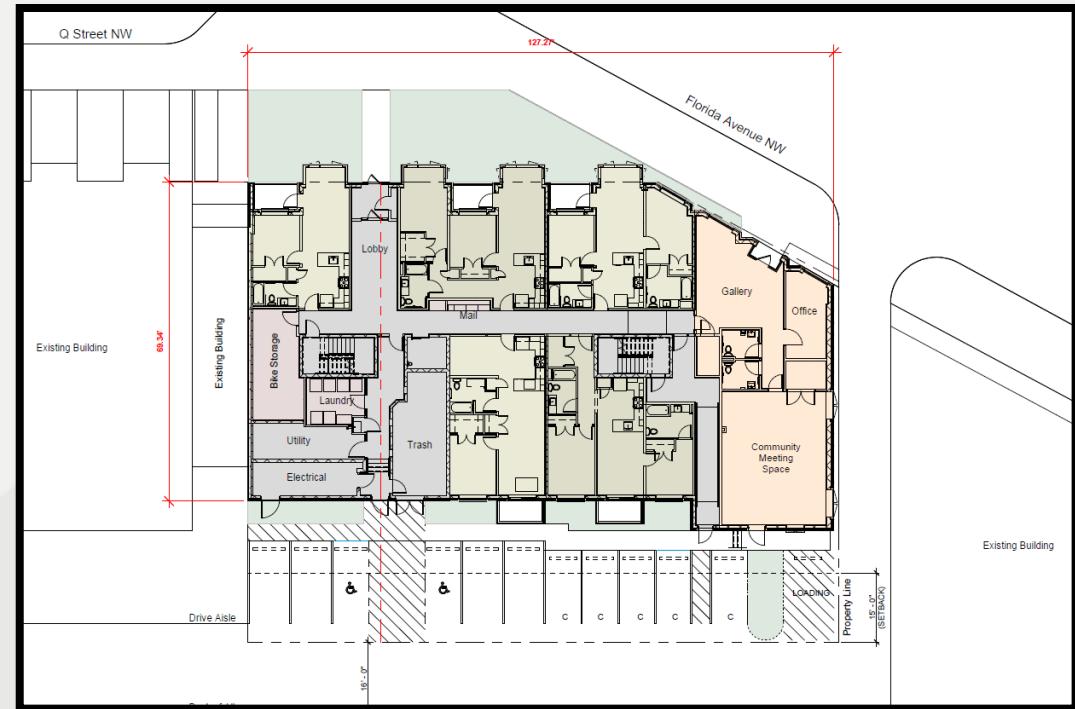
**(d) The Board may impose requirements pertaining to design, appearance, screening, location of structures, lighting, or any other requirements it deems necessary to protect adjacent or nearby property**

# Variance Relief - Property is Exceptional and Unique

- In BZA Case 20095, Board found exceptional condition creates practical difficulty with strict application of Subtitle A § 207.1
  - Property and conditions remain the same = same conclusion in this case
- Assemblage of eight lots offered in one DHCD solicitation
- Programmatic needs to adhere to DHCD solicitation
  - “Public service” standard under *Monaco v. BZA*
  - Allows Board to be more flexible and consider programmatic needs of applicant
- Property’s long vacant and underutilized condition
- Unique shape of lot with angled lot line on Florida Avenue
- Property is bounded by alleys on two sides, separating it from other MU-4 property

# Variance Relief – Practical Difficulties

- No multi-family use in RF-1 zone
  - If requirement is strictly applied, impacts six largest 2-3 bedroom units on western side of project
- Circulation and fire access
  - Lobby and eastern staircase would be pushed east
  - Due to angled lot line, would create inefficient layout and loss of units
- Would not allow to meet programmatic needs of complying with DHCD solicitation



# Variance Relief – No Substantial Detriment

- Allows for construction of thoughtfully-designed, all-affordable project on long-vacant lot
- Increases number of family-sized units
- Florida Avenue is large thoroughfare conducive to modest increase of density

# Questions?



# Reduced Standard of Review for Public Service

- A reduced, more flexible standard of review can be applied for a nonprofit public service organization seeking to address a public need or public interest
  - Neighbors for Responsive Government v. BZA, Citizens for Responsible Options v. BZA, Monaco v. BZA, National Black Child Development Institute v. BZA, Dupont Circle Citizens Assoc. v. BZA*
- Applies whether applicant is adding to existing use or building new use (NRG v. BZA)
- Under this standard, it is appropriate for Board to consider factors including:
  - The property owner's needs in finding an exceptional situation or condition
  - Weigh more fully the equities in an individual case