

Government of the District of Columbia

Department of Transportation



d. Planning and Sustainability Division

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment

FROM: Meredith Soniat
Acting Associate Director *MS*

DATE: February 28, 2025

SUBJECT: BZA Case No. 21240 – 4237 Eads Street NE

APPLICATION

71 Florida Ave 39 LLC (the “Applicant”), pursuant to Title 11 of the *District of Columbia Municipal Regulations (DCMR)*, requests the Board of Zoning Adjustment (BZA) grant a Special Exception to permit a health care facility use in an existing two-story with basement building. The site is in the R-2 Zone at 4237 Eads Street NE (Square 5089, Lot 72) and is served by a 15-foot public alley.

RECOMMENDATION

The District Department of Transportation (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 this application.

STREETScape AND PUBLIC REALM

DDOT’s lack of objection to this application should not be viewed as an approval of the public realm. If any portion of this or future projects at the property propose elements within District-owned right-of-way or the building restriction area, the Applicant is required to pursue a public space construction permit. It is noted that the site has a 10-foot Building Restriction Line (BRL) along the Eads Street NE frontage. The area between the property line and BRL is the building restriction area, which is regulated like DDOT public space and should remain “park-like” with landscaping.

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](#), 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.

Board of Zoning Adjustment
District of Columbia

HERITAGE AND SPECIAL TREES

According to the District's [Tree Size Estimator map](#), the property has one (1) Special Tree, though based on most recent aerial and street view imagery, the property does not appear to have any Heritage or Special Trees. Additionally, the neighboring property to the east at 4239 Eads Street NE has at least two (2) Special Trees that have critical root zones that overlap with the property. Given the size of these Special Trees, DDOT expects that the Applicant will coordinate with the Ward 7 Arborist regarding their preservation and protection and to determine if these trees have reached Heritage Tree status. This is an expectation even if all proposed work – such as fence modifications or rear parking pad – is on private property.

Heritage Trees have a circumference of 100 inches or more and are protected by the Tree Canopy Protection Amendment Act of 2016. With approval by the Mayor and DDOT's Urban Forestry Division (UFD), Heritage Trees might be permitted to be relocated. As such, the Applicant may be required to redesign the site plan to preserve the Non-Hazardous Heritage Trees. Special Trees are between 44 inches and 99.99 inches in circumference. Special Trees may be removed with a permit. However, if a Special Tree is designated to remain by UFD, a Tree Protection Plan (TPP) will be required.

MS:pj