

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 *MS*
Acting Associate Director

DATE: March 12, 2025

SUBJECT: BZA Case No. 21249 – 4231 Clay Street NE

APPLICATION

4231 Clay St NE 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 4231 Clay Street NE (Square 5088, Lots 45 and 46) 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 Clay Street 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.

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HERITAGE AND SPECIAL TREES

According to the District's [Tree Size Estimator map](#), the property has zero Heritage or Special Trees; however, there is a Special Tree in the tree box in the public space along the site's Clay Street frontage. Additionally, based on recent street view imagery, there appears to be a large tree on the southeast corner of the site as well as two (2) larger trees to the west at 4223 Clay Street NE that may have critical root zones that overlap with the property. Given the apparent size of these 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 or Special Tree status. This is an expectation even if all proposed work – such as a driveway, handicap ramp, 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