

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Eastern Avenue Holdings III, LLC for Two Special Exceptions

1206 Eastern Avenue NE (Sq. 5202, Lot 0044) (the “Property”)

STATEMENT OF THE APPLICANT

Eastern Avenue Holdings III, LLC, the “Applicant” and owner of the property located at 1206 Eastern Avenue NE (Sq. 5202, Lot 0044) (the “Property”), now seeks a special exception to add five units to an existing 15-unit apartment houses located in the RA-1 zone, pursuant to 11 DCMR Subtitle U, Section 421 and a special exception to allow a voluntary inclusionary development pursuant to Subtitle F, Section 201.4

I. BACKGROUND

The Property is zoned to the RA-1 zoning district and is currently improved with a three-story apartment house with 15 units. The Property is comprised of a lot with frontage along Eastern Avenue NE. The Property is comprised of a land area of 13,200 square feet. The Property is not located within a historic district.

II. NATURE OF RELIEF REQUESTED

The Applicant proposes to renovate and expand the existing apartment house on the Property and add five units for a total of 20 units. Therefore, the Applicant seeks a special exception to add five units to the existing apartment house pursuant to 11 DCMR Subtitle U, Section 421 and a special exception to allow a voluntary inclusionary development pursuant to Subtitle F, Section 201.4 This Project will provide 20 family-style units of at least three bedrooms each with at least two inclusionary zoning units.

A. Special Exception Relief for New Residential Developments in the RA-1 Zone Pursuant to Subtitle U, Section 421.1 and for a Voluntary Inclusionary Development Pursuant to Subtitle F, Section 201.4.

All new residential developments in the RA-1 zone, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment (the “BZA” or the “Board”) as special exceptions under Subtitle X, in accordance with the standards and requirements in Subtitle U, Section 421.1. Pursuant to Subtitle F, Section 201.4, a special exception for a voluntary inclusionary development may be granted pursuant to the special exception standards of Subtitle X, Chapter 9.

B. Special Exception Standards Pursuant to Subtitle X, Chapter 9

Pursuant to Subtitle X, Chapter 9, the special exception relief requested must meet the standards set forth in Section 901.2, which states that the BZA may grant a special exception when the relief requested:

- (a) Will be 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; and**
- (c) Will meet such special conditions as may be specified in this title.**

This Application meets the above standards. First, the relief requested is in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The purpose of the RA-1 zone is to “[p]ermit flexibility of design by permitting all types of urban residential development if they conform to the height, density, and area requirements established for these districts.” *See* 11 DCMR Subtitle F, Section 101.3(a). The RA-1 zone allows for low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments. *Id.*, Section 101.4. The proposed project will meet all development standards in the RA-1 zone.

The proposed renovations, additions, and five new dwelling units will not substantially intrude on the character, scale, and pattern of neighboring properties. A mix of small and large multifamily residential buildings are common in this neighborhood. In addition, the Property is located just over 1/3 mile from the Deanwood Metro Station and, therefore, additional residential density is appropriate at this location. As such, a voluntary inclusionary development is in harmony with the general purpose and intent of the Zoning Regulations as it will allow the Applicant to construct additional housing, including affordable housing.

Further, the project will not adversely affect the use of neighboring properties. The Property is a single lot with an existing 15-unit apartment house with frontage along Eastern Avenue NE. To the west, the Property is adjacent to a similarly-sized apartment house. The neighboring property to the east is vacant. The properties to the rear are separated from the Property by an alley as well as several large shade trees.

As part of this project, the Applicant proposes to build a partial rear addition and raise the roof of the existing buildings by approximately four feet. Shadow studies included in the Applicant's architectural plans (page A203) illustrate that these changes and additions will have minimal impact on the light, air, privacy, enjoyment, character, scale, and pattern of neighboring properties. Further, the proposed project will satisfy all development standards in the RA-1 zone as noted. The project will also provide four vehicle parking spaces (one more than required by the Zoning Regulations) and 10 bicycle parking spaces (two more than required by the Zoning Regulations). This voluntary inclusionary development will allow the Applicant to construct additional market rate units as well as two IZ units. For all of these reasons, the Application satisfies the general standards and criteria for a special exception.

Subtitle U, Section 421 of the Zoning Regulations sets forth additional standards for the Board to consider in determining whether to approve new residential developments in the RA-1 zone. Section 421 requires that the application be referred to relevant D.C. agencies to analyze the project's impact on schools, public streets, recreation, and other services. Given this project only involves five new residential units, impacts on schools and public infrastructure will be minimal and outweighed by the addition of new family-size units, including two IZ units. Section 421 also requires that the Board refer the application to the Office of Planning to review 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. As noted herein, the Applicant is proposing minimal changes to the existing site plan and these changes will not have a significant impact on the surrounding neighborhood. A landscape plan is included with the Applicant's architectural plans filed herein.

III. COMMUNITY ENGAGEMENT

The Applicant will continue to engage with ANC 7C, neighbors, and the community as this project moves forward.

IV. WITNESSES

The following witnesses will appear on behalf of the Applicant at the BZA hearing on this Application:

1. Matthew Medvene, District Line Development, LLC

Mr. Medvene is supervising the proposed construction for this project and will testify as to construction, design, and community engagement and outreach.

2. Ryan Petyak, Architect, Studio 3877

Mr. Petyak is the architect for this project and will testify as to design and architecture matters related to the project.

V. CONCLUSION

For all of the reasons discussed above, the Applicant respectfully requests that the BZA approve this application for two special exceptions.

A handwritten signature in black ink, appearing to read "Zach Williams", written over a horizontal line.

Zachary G. Williams, Esq.
Venable LLP
Authorized Agent for the Applicant