

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Applicant's Statement of 2628MLK LLC
2628 Martin Luther King Jr., Ave (Square 5868, Lot 1059)

I. INTRODUCTION.

This Statement is submitted on behalf of 2628MLK LLC, the owner of the property located at 2628 Martin Luther King Jr., Ave (Square 5868, Lot 1059) (the “**Property**”). The Property is located in the RA-1 zone district and is currently improved with a detached single-family dwelling. The Applicant is proposing to raze the existing building and construct a new three-story building (the “**Building**”) with 10 new residential units (the “**Project**”). As a new multifamily residential development, the Project requires special exception approval pursuant to Section U-421.1 of the D.C. Zoning Regulations.

II. JURISDICTION OF THE BOARD.

The Board has jurisdiction to grant the special exception approval requested pursuant to Subtitle X-901 and U-421.

III. BACKGROUND.

A. Description of the Property and Surrounding Area.

The Property is zoned RA-1 and is an interior lot with 10,585 square feet of land area. Abutting the Property to the north is a semi-detached single-family dwelling (2624 Martin Luther King Jr., Ave, SE). Abutting the Property to the south is a residential apartment building which is part of the “Matthews Memorial” PUD (2632 Martin Luther King Jr., Ave, SE). Abutting the Property to the west is Martin Luther King Jr., Ave, SE. Abutting the Property to the east is the parking lot of the Matthews Memorial Baptist Church, located at 2616 Martin Luther King Jr.,

Ave. The area is primarily made up of a mix of residential uses, including multi-family apartment complexes and single-family dwellings.

The Property is well served by public transportation. It is located three-tenths of a mile, or a five-minute walk, from the Anacostia Metro. The closest bus stop is directly across the street and Metrobus routes A2, A4, A6, and A8 pick up from that location. All four bus routes are considered Priority Metrobus Routes. The closest recreation center—Barry Farm Recreation Center—is only one-tenth of a mile, or a three-minute walk, from the Property.

B. Description of the Proposed Project.

The Applicant proposes to raze the existing detached single-family dwelling and construct a new, three-story Building with 10 residential dwelling units. One of the units will be an IZ unit.

The proposal meets the development standards of the RA-1 Zone as follows:

| Standard | Requirement | Provided |
|---------------|-------------------|-------------------|
| Height | 40 ft., 3 stories | 31 ft., 3 stories |
| Lot Occupancy | 40% | 40% |
| FAR | 1.08 w/IZ | 1.08 w/IZ |
| Rear Yard | 20 ft. | 42.7 ft. |
| Side Yard | One, 8 ft. | 23 ft. |
| Parking | 1 space | 7 spaces |

IV. THE APPLICATION SATISFIES SPECIAL EXCEPTION REQUIREMENTS OF SUBTITLE X-901.2 AND U-421.

A. Overview.

Pursuant to Subtitle X-901.2 of the Zoning Regulations, the Board is authorized to grant special exception relief where, in the judgment of the Board, the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps, and will not tend to affect adversely the use of neighboring property; subject also, in this case, to the specific requirements for relief under Subtitle U-421 of the Zoning Regulations

The RA-1 Zone provides for areas predominately developed with low to moderate density development, including multi-family residential buildings. The Applicant is proposing to construct a new multi-family Building. Accordingly, the granting of the special exception will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps.

Most of the surrounding properties are developed with apartment buildings. The property to the north is a single-family dwelling and the Applicant is proposing a large, 20 ft.+ side yard as a buffer. The proposed building is conforming with respect to the development standards of the RA-1 Zone. Accordingly, the granting of the special exception will not tend to adversely affect the use of neighboring properties.

B. Specific Requirements of U § 421.

In reviewing applications for a special exception under the Zoning Regulations, the Board's discretion is limited to determining whether the proposed exception satisfies the relevant zoning requirements. If the prerequisites are satisfied, the Board ordinarily must grant the application. See, e.g., *Nat'l Cathedral Neighborhood Ass'n. v. D.C. Board of Zoning Adjustment*, 753 A.2d 984, 986 (D.C. 2000).

The Zoning Regulations require that all new residential developments in the RA-1 Zone, except those comprising of one-family detached and semi-detached dwellings, be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section:

Section 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**

It is expected that the Office of the State Superintendent of Education will not have an issue with the addition of residents from a 10-unit building.

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

The Property is well served by public transportation. It is located three-tenths of a mile, or a five-minute walk, from the Anacostia Metro. The closest bus stop is directly across the street and Metrobus routes A2, A4, A6, and A8 pick up from that spot. All four bus routes are considered Priority Metrobus Routes. The closest recreation center—Barry Farm Recreation Center—is only one-tenth of a mile, or a three-minute walk, from the Property.

Section 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.

The Applicant has provided—or will provide as requested by the Office of Planning—sufficient information for the Office of Planning to comment and make recommendations 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.

Section 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 Applicant has submitted a site plan and set of typical floor plans and elevations. The Applicant will submit a grading plan and a landscaping plan. The Applicant is not proposing any new rights-of-way or easements.

V. **CONCLUSION.**

Applicant's Statement
2628 MLK Jr. Ave, SE

For the reasons stated above, this Application meets the requirements for special exception approval by the Board, and the Applicant respectfully requests that the Board grant the requested special exception approval.

Respectfully submitted,

Alexandra Wilson

Alexandra Wilson
Sullivan & Barros, LLP
Date: February 8, 2022

Martin P Sullivan

Martin Sullivan
Sullivan & Barros, LLP
Date: February 8, 2022