

Analysis of Project Under Subtitle U § 421 for New Residential Development in the RA-1 Zone

The below discussion analyzes the Applicant's proposed redevelopment of 3301 23rd Street SE (Square 5894, Lot 63) (the "**Property**") with a new apartment building with approximately 130 units (the "**Project**") under the special exception standard for new residential developments in the RA-1 Zone District pursuant to Subtitle U § 421 of the Zoning Regulations. As noted in the OP report in this case (Exhibit 22), the Project is "essentially a revision of a project approved by the Board of Zoning Adjustment in 2018's Case 19733." Board of Zoning Adjustment ("**BZA**") Case No. 19733 granted special exception approval pursuant to Subtitle U § 421 for an apartment building on the Property that included a range of units from 118-128, plus or minus 5%.

For the reasons discussed below, the Project is in harmony with the intent and purposes of the Zoning Regulations and is consistent with the requirements of Subtitle U § 421 and Subtitle X § 901.2.

A. The Application Is in Harmony with the General Purpose and Intent of the Zoning Regulations.

The main purpose of Subtitle U § 421 is to minimize any adverse impact on surrounding properties which may occur as a result of the Project. Accordingly, the proposed new building has been thoughtfully designed and sited to ensure the Project will not adversely affect neighboring property owners or the immediate community. The new building is of a size and scale that is entirely in keeping with the garden apartment buildings located to the west of the Property and single-family development to the east. Moreover, the Property currently has multi-family buildings that had to be abandoned due to their dilapidated and unsafe condition. The creation of a new multi-family building, with more effective unit layouts and more efficient building systems, is entirely appropriate and needed. The creation of this new multi-family building is in harmony with the general purpose and intent of the Zoning Regulations.

B. The Area Schools Can Accommodate the Number of Students Expected to Reside in the Project.

The Project is in-boundary for Garfield Elementary School, Johnson Middle School, and Ballou High School. The Applicant is adding approximately 130-140 new residential units and the Applicant expects that there will be children living in this building that will attend area schools. During the review of BZA Application No. 19733, the application was forwarded to the D.C. Board of Education and the Board of Education raised no objections at that time. The Applicant does not believe that the slightly larger Project would result in any objection from the Board of Education. The OP report noted that this Project has been referred to DC Public Schools (DCPS).

C. The Public Streets, Recreation, and Other Services Are Adequate to Accommodate the Residents of the Project.

The 52 parking spaces included in the Project provide the appropriate balance of meeting the parking needs of the residents of this Project, while not overburdening the amount of traffic

using the surrounding street network. The Applicant believes that the existing public streets are adequate to accommodate the additional vehicular trips generated by the residents of this Project and their guests.

The Douglass Community Center is located approximately 0.5 miles from the Property. It is equipped with amenities such as: a computer lab; large multi-purpose room; kitchen; outdoor basketball court; parksite; playground; outdoor pool; tennis court; and 60-foot diamond softball field. The Applicant expects that its residents will take full advantage of these facilities and the Applicant believes that these facilities have the capacity to meet any additional demand created by the Project.

The Applicant has met with the District Department of Transportation (“**DDOT**”) to discuss the Project and review the proposed plans. The Applicant has proposed the adoption of Transportation Demand Management (“**TDM**”) and Loading Management Plans. DDOT submitted a report (Ex. 23) which noted that it had no objection to Project, provided the Applicant agree to two conditions related to the TDM Plan. The Applicant has agreed to those conditions, with one minor tweak to DDOT’s proposed language.

The Applicant’s prior proposal for a similarly sized building was forwarded to the Department of Housing and Community Development (“**DHCD**”) as part of BZA Application No. 19733, and DHCD did not raise any objections to the Project. The OP report in this case noted that “DHCD is aware of the project’s application for Low Income Housing Tax Credit funding.” In addition, the OP report noted that “[t]he Project has also been referred to the Department of Parks and Recreation (DPR), DC Public Schools (DCPS), the Fire and Emergency Medical Services Department (FEMS), the Metropolitan Police Department (MPD), and DC Water.”

D. The Site Plan, Arrangement of Buildings, and Provisions of Light, Air, Parking, Recreation, Landscaping, and Grading Are Appropriate.

The siting and scale of the proposed building maximizes the light and air provided to the future residents and minimizes any potential adverse impact on the surrounding community. The building includes significant and appropriate setbacks from all lot lines, further providing units maximum access to natural light.

As noted above, the Project includes 52 parking spaces. This amount of parking provides the appropriate balance of meeting the parking needs of the residents of this Project, while not overburdening the amount of traffic utilizing the surrounding street network.

The landscaping and grading included in the Project have been thoroughly reviewed and analyzed and will not impact the surrounding properties. The Applicant is meeting the stringent GAR requirement in the RA-1 Zone through the extensive use of green roofs, solar panels, and bioretention facilities.

For all of these reasons, the application satisfies the standards for relief under Subtitle U § 421.