

## MEMORANDUM

**TO:** District of Columbia Zoning Commission

**FROM:** Shepard Beamon, Development Review Specialist  
Radhika Mohan, Deputy Director, Development, Design and Preservation *RCM*

**DATE:** February 13, 2026

**SUBJECT:** ZC Case 25-03 - Public Hearing Report for a Voluntary Design Review in the RF-1 Zone at 2 18<sup>th</sup> Street SE (Square 1110, Lot 86) for So Others Might Eat (SOME) to convert a 59-unit rooming house to a 61-unit apartment house.

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### **I. RECOMMENDATION**

The Office of Planning (“OP”) recommends the Zoning Commission (“Commission”) **approve** this Voluntary Design Review (VDR) application requested pursuant to Subtitle X § 601.2 and the following design review flexibility relief:

- Building Height, Subtitle E § 403.1, pursuant to Subtitle X §§ 603.1 and 603.3 (Permitted: 35’/3 stories maximum; Existing: 35’ 2” / 3 stories; Proposed: 46’ 8” / 4 stories); and
- Rear Yard, Subtitle E § 207.1, pursuant to Subtitle X §§ 603.1 and 603.3 (Required: 20 feet; Existing: 0 feet (existing non-conforming); Proposed: 0 feet (4<sup>th</sup> floor only)

OP recommends the Commission **approve** the following special exception relief:

- Min. Vehicle Parking, Subtitle C § 701, pursuant to Subtitle C § 703 and X § 901; (Required: 1 space per 2 dwellings – 31 spaces; Proposed: 0 spaces);
- Penthouse Setback, Subtitle C § 1504.1(d), pursuant to Subtitle C § 1506 and X § 901 (Required: 1:1 Setback for rooftop structures equivalent to the building height; Proposed: varies (see details below); and
- Use Permissions (Conversions), Subtitle U § 320.2, pursuant to Subtitle U § 320.2 and X § 901; (Required: Special exception for conversion from rooming house to apartment house; Existing: 59-unit rooming house; Proposed: 61-unit apartment house)

The applicant originally requested relief for the penthouse setback. OP does not believe relief for the Penthouse Setback is necessary. Per C § 1504.4, the open court setback requirements of Subtitle C § 1504.1(d) shall further not apply to a rooftop access stairwell or elevator. OP informed the applicant of this and they have omitted the requested penthouse relief. However, if it is determined that the relief is

still needed, OP does not object to the approval of the special exception and has provided the zoning analysis below.

OP recommends the Commission **approve** the following area variance relief:

- Vehicle Parking, Subtitle C § 703.4, pursuant to Subtitle X § 1000 (Required: Reduction of more than four spaces from the required number of parking spaces requires a Transportation Demand Management (TDM) plan; Proposed: No TDM);
- Use Permissions RF-1 (Conversions), Subtitle U § 320.2(c), pursuant to Subtitle X § 1000 (Required: Min. 900 sq. ft. of land area per each existing and new dwelling unit; Proposed: Approx. 112.5 sq. ft. of land area per unit); and
- Voluntary Design Review, Subtitle X § 601.3(a), pursuant to Subtitle X § 1000 (Required: Minimum two (2) acres of lot area in R, RF and RA zones; Existing/Proposed: 6,864 sq. ft. (0.18 acres))

OP recommends the Commission **approve** the following design flexibility requests subject to conditions stated in the analysis provided in the report below:

- Exterior Details – Location and Dimension;
- Exterior Materials – Color;
- Interior Components;
- Number of Units – 58-64 units;
- Streetscape/Site Design;
- Sustainable Features; and
- Landscape Materials.

## II. APPLICATION-IN-BRIEF

<b>Address:</b>	2 18 <sup>th</sup> Street SE
<b>Applicant:</b>	Goulston & Storrs on behalf of So Others Might Eat (SOME)
<b>Ward and ANC:</b>	7D
<b>Legal Description:</b>	Square 1110, Lot 86
<b>Zoning:</b>	RF-1
<b>Planning Area:</b>	Capitol Hill
<b>Lot Description:</b>	6,864 sq. ft. corner lot with 18 ft. side public alley with access from East Capitol St. SE
<b>Existing Development:</b>	Three-story plus cellar rooming house with 59 units and a rear open court
<b>Proposed Development:</b>	Four-story plus cellar apartment house with 61 units

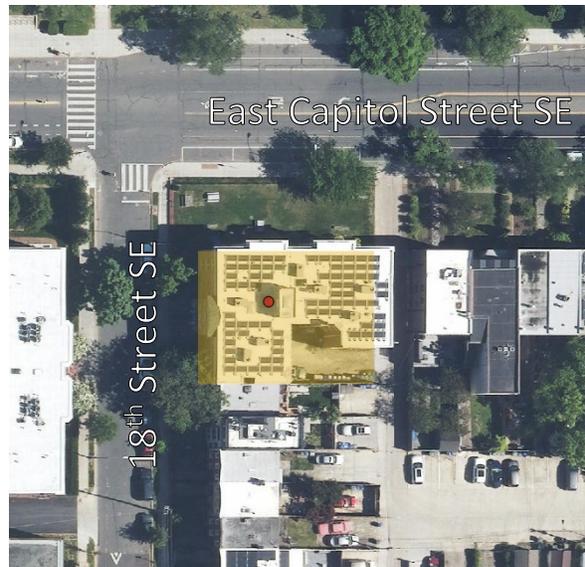
### III. BACKGROUND

This application filed by SOME is for renovation and expansion of a rooming house to convert it into an apartment house in the RF-1 zone. Rooming houses consist of one or more habitable rooms forming a single, habitable unit used or intended to be used for living or sleeping purposes but not with food prep, whereas an apartment house is any building or part of a building in which there are three or more apartments with in-unit kitchen and bathroom. The existing rooming house was constructed in 1925, predating the 1958 zoning regulations which permitted rooming and boarding houses in the RF-1 zone (formerly R-4) and is legally nonconforming use. The building was originally a 23-unit apartment house and was converted to the current rooming house in 1993.

Per Subtitles X § 601 and 603, a property owner(s) can seek VDR to request design flexibility for relief from the development standards for height, setbacks, yards, lot occupancy, courts, building transitions, and design standards of a specific zone. This project is not subject to mandatory design review, however, the applicant applied for a voluntary design review, pursuant to Subtitle X § 601.2, for design flexibility, special exceptions and variances from development standards, parking requirements, use permissions and the design review requirements. The design review process is intended to be shorter and less intensive than the PUD process and allow less deviation from matter-of-right zone standards.

### IV. PROJECT DESCRIPTION

The applicant proposes renovating and converting the existing 3-story, 59-unit rooming house and adding a fourth story to allow a 61-unit apartment house with in-unit kitchens and bathrooms. The existing rooming house has individual sleeping units with shared bathrooms, kitchen and dining areas. The apartment house will consist of 61 studios/efficiencies; however, the applicant requests flexibility to allow +/-3 units. All of the proposed apartment units will be affordable units, with each reserved for individuals earning at or below 50% MFI. The applicant proposes adding rooftop structures for stair access to the roof and an elevator override. The site will include improvements to landscaping, including new outdoor furniture, new plantings and shade trees, and a new wheelchair ramp.



### V. ZONING ANALYSIS

The subject site is zoned RF-1, which is intended to allow up to two dwelling units per lot and allow more than two units in single building or structure. This project is not subject to Mandatory Design Review; however, the applicant has requested flexibility and relief from the zoning regulations through Voluntary Design Review, as permitted pursuant to Subtitle X § 601.

The following tables compares the proposal to the zoning:

Development Standard	Required (RF-1)	Proposed	Relief
<b>Density (FAR) E § 201</b>	N/A	N/A	None requested
<b>Lot Width E § 202</b>	40 ft. min. (All other structures)	95.33 ft.	None requested
<b>Lot Area E § 202</b>	4,000 sq. ft. min. (All other structures)	6,864 sq. ft.	None requested
<b>Height (ft.) E § 203</b>	35 ft. max. 50 ft. max (PUD)	46 ft. plus 8 ft. for penthouse structures	<b>Design Flexibility Requested</b>
<b>Roof Top Elements E § 204</b>	A roof top architectural element original to a principal building shall not be removed or significantly altered.	None	None requested
<b>Penthouse E § 205</b>	A penthouse or rooftop structure shall be set back a distance equal to its height from building walls that border all sides of an open court. Required: 46 ft.	20 ft. 9.5 in. from west façade; 25 ft. 1 in. from north façade; 26 ft. 10 in. from south façade	<b>Special Exception Requested</b>
<b>Front Yard E § 206</b>	A range of existing front setbacks of all residential buildings on the same side of the street.	N/A	None requested
<b>Rear Yard E § 207</b>	20 ft. min.	0 ft.	<b>Design Flexibility Requested</b>
<b>Side Yard E § 208</b>	5 ft. min.	0 ft. (existing non-conforming)	None requested
<b>Courts (Open) E § 209</b>	2.5 in. per 1 ft. of height of court, but not less than 6 ft. Req. 115 ft.	N/A (No change)	None requested
<b>Lot Occupancy E § 210</b>	Conversion of a building or structure to an apartment house - The greater of 60 or the lot occupancy as of the date of conversion	80% (existing non-conforming) (5,491.2 sq. ft.)	None requested
<b>Pervious Surface E § 211</b>	20%	N/A	None requested
<b>Vehicle Parking C § 701</b>	Min. 1 space per 2 dwelling units min.	0 spaces	<b>Special Exception Requested</b>
<b>C § 703.4 Vehicle Parking</b>	Reduction of more than four spaces from the required number of parking spaces requires a Transportation Demand Management (TDM) plan.	No TDM proposed.	<b>Area Variance Requested</b>

Development Standard	Required (RF-1)	Proposed	Relief
<b>Bicycle Parking C § 802</b>	Min. 1 space for each 3 dwelling units (Long-term) Min. 1 space for each 20 dwelling units (Short-term)	5 long-term spaces; 2 short -term spaces <sup>1</sup>	None requested
<b>Loading C § 901</b>	More than 50 dwelling units – 1 loading berth min.; 1 service/delivery space min.	None <sup>2</sup>	None requested
<b>C §1504.1(d) Penthouse Setback</b>	A penthouse or rooftop structure shall be set back a distance equal to its height from building walls that border all sides of an open court.	The applicant requests relief for a stair tower.  OP does not believe this relief is necessary. Per C §1504.4, the open court setback requirements of Subtitle C § 1504.1(d) shall further not apply to a rooftop access stairwell or elevator.	<b>Special Exception Requested</b>
<b>U § 320.2 Use Permissions (Conversions)</b>	Conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a conforming use that increases the number of units, shall be permitted in any of the RF-1 zones if approved by the Board of Zoning Adjustment as a special exception.	61-unit apartment house	<b>Special Exception Requested</b>

<sup>1</sup> Per the applicant, in Subtitle C § 802.5, an addition to an existing building, or the expansion of a use within a building, triggers additional bicycle parking requirements only when the gross floor area (GFA) of the building or use is expanded or enlarged by 25% or more beyond the GFA on the effective date of this title. However, with the proposed addition, the building’s GFA will increase by 27%, so C-802.5 applies; however, the amount of bicycle parking required is based on only the GFA added. The project will include 15 apartment units on fourth-floor addition (where all the new GFA will be located); thus, per C-802.1 and C-802.3, this equates to a requirement of five (5) long- and two (2) short-term bicycle parking spaces that will be provided.

<sup>2</sup> Per the applicant, the project will include two (2) additional units to the building. Under C-901.6, an expansion of a use within a building triggers additional loading requirements only when the GFA of the building or use is expanded or enlarged by 25% or more beyond the GFA on the effective date of the title. In this case, the building GFA is being expanded by 27%; however, per C-901.5(b), loading is required for only the addition when the addition includes 50 or more units. Since only two (2) units will be in the addition, loading is not required.

Development Standard	Required (RF-1)	Proposed	Relief
<b>U § 320.2(c) Use Permissions RF-1 (Conversions)</b>	There shall be a minimum of 900 sq. ft. of land area per each existing and new dwelling unit. (Current: 116.33 sq. ft. per unit)	Approx. 112.5 sq. ft. of land area per unit.	<b>Area Variance Requested</b>
<b>X § 601.3(a) Voluntary Design Review</b>	Minimum area requirement: Two acres in R, RF and RA zones	6,864 sq. ft. (0.18 acres)	<b>Area Variance Requested</b>

**VI. REVIEW CRITERIA**

**A. TECHNICAL DESIGN FLEXIBILITY**

Per Subtitle X § 603.1, the Zoning Commission may grant relief from the development standards for height, setbacks, yards, lot occupancy, courts, and building transitions. Per Subtitle X § 603.3, the amount of relief from the standards authorized by Subtitle X § 603.1 is at the discretion of the Zoning Commission, except for height, which shall be no greater height than that permitted if the application were for a Planned Unit Development (PUD). In this case, per X § 310.1, the maximum permitted PUD building height in the RF-1 zone is 50 feet. The applicant requests flexibility to allow 46 feet building height, which does not exceed the maximum building height permitted by a PUD in the zone. The applicant also requests flexibility for the rear yard, which requires 20 feet in the RF-1 zone. The applicant proposes maintaining a 0-foot rear yard for the existing building and proposed fourth floor.

Per Subtitle X § 603.1, the Zoning Commission may also grant relief from any specific design standards of a specific zone.

**Design Review Standards, Subtitle X § 604**

*604.1 The Zoning Commission will evaluate and approve or disapprove a design review application according to the standards of this section and, if applicable to the zone, standards set forth in Subtitle K.*

An analysis of the proposed project against the standards of this section follows. The Property is zoned RF-1; therefore, standards set forth in Subtitle K are not applicable. The property meets the contiguous requirement of X § 601.4 as it is a single lot.

*604.2 For non-voluntary design review, the application must also meet the requirements of the provisions that mandated Zoning Commission approval.*

The subject application is for Voluntary Design Review.

*604.3 The applicant shall have the burden of proof to justify the granting of the application according to these standards.*

The applicant submitted a burden of proof that provides justification for the application. The applicant proposes renovating and expanding the existing rooming house into an apartment building to provide fully self-contained units with in-unit kitchens and bathrooms. The applicant states the proposed apartments will support achieving the affordable housing unit targets for the District and provide housing for vulnerable and underserved unhoused populations.

OP requested the applicant provide a refined site and floor plans that demonstrate the following:

- Number of units on each floor and label each;
- Number of bedrooms in each unit;
- Location and use of public/communal spaces on each floor;
- Entrance accommodations for people with disabilities;
- Landscaping plan showing existing, proposed, or removal of plantings;
- Location and number of bike parking spaces;
- Location of trash and method of collection; and
- Treatment and furnishings for outdoor public spaces.

The applicant uploaded a PowerPoint presentation that includes a detailed landscape plan with existing and proposed shade trees and plantings, outdoor seating area and furnishings, a new accessible ramp to building entrance, and pervious paving in the rear open court. Trash will be in the rear court and will be collected through a private company. The applicant explained that all units will be single-occupant studio/efficiency apartments. Although not labeled on floor plans, the applicant did provide OP with unit count per floor: seven (7) in the cellar, nine (9) on the first floor, fifteen (15) on the second floor, fifteen (15) on the third floor, and fifteen (15) on the fourth floor. The applicant explained that they've requested flexibility for the design of interior space, therefore, the floor plans provided are not detailed or labeled to account for potential reconfiguration. OP requested the applicant submit all revised plans and documents as separate exhibits in the case record, which they have done.

*604.4 The applicant shall not be relieved of the responsibility of proving the case by a preponderance of the evidence, even if no evidence or arguments are presented in opposition to the case.*

The applicant presented its case through submissions to the record. (See Exhibits 3 and 3A through 3G dated April 16, 2025 and April 7, 2025, respectively)

*604.5 The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

The proposed design review is not inconsistent with the Comprehensive Plan and other adopted policies. See below for full Comprehensive Plan analysis.

*604.6 The Zoning Commission shall find that the proposed design review development will not tend to affect adversely the use of neighboring property and meets the general special exception criteria of Subtitle X, Chapter 9.*

The proposed design review should not adversely impact the use of the neighboring properties. The applicant does not propose changing the use from residential use and would not increase the existing lot occupancy. The property is located near a Metrorail station and multiple Metrobus routes, which lessens the need for parking.

*604.7 The Zoning Commission shall review the urban design of the site and the building for the following criteria:*

(a) *Street frontages are designed to be safe, comfortable, and encourage pedestrian activity, Including:*

- (1) *Multiple pedestrian entrances for large developments;*
- (2) *Direct driveway or garage access to the street is discouraged;*
- (3) *Commercial ground floors contain active uses with clear, inviting windows;*
- (4) *Blank facades are prevented or minimized; and*
- (5) *Wide sidewalks are provided;*

This is not a larger development and the building has one primary entrance from 18<sup>th</sup> Street and emergency exits in the rear courtyard. There is no driveway or garage access to the street proposed. There is no commercial use proposed for this site. The applicant proposes to maintain the existing brick façade from the cellar up to the third floor and the existing roofline features. The proposed fourth floor would include some architectural details and would not be a blank façade, based on the provided renderings and elevation drawings. The applicant does not propose modifying existing sidewalks.

(b) *Public gathering spaces and open spaces are encouraged, especially in the following situations:*

- (1) *Where neighborhood open space is lacking;*
- (2) *Near transit stations or hubs; and*
- (3) *When they can enhance existing parks and the waterfront;*

The property is located near a transit station and hub; however, there is neighborhood open space nearby at The Fields at RF Campus. The property also includes an enclosed outdoor area with seating, dedicated for resident use only, situated on the north side of property facing East Capitol Street SE.

(c) *New development respects the historic character of Washington's neighborhoods, including:*

- (1) *Developments near the District's major boulevards and public spaces should reinforce the existing urban form;*
- (2) *Infill development should respect, though need not imitate, the continuity of neighborhood architectural character; and*
- (3) *Development should respect and protect key landscape vistas and axial views of landmarks and important places;*

Although the building is not in an historic district, it is located on a major corridor, East Capitol Street SE. The applicant proposes to maintain the existing façade, including building material and fenestration, to not conflict with the surrounding neighborhood.

(d) *Buildings strive for attractive and inspired façade design, including:*

- (1) *Reinforce the pedestrian realm with elevated detailing and design of first (1<sup>st</sup>) and second (2<sup>nd</sup>) stories; and*
- (2) *Incorporate contextual and quality building materials and fenestration;*

As stated above, the applicant proposes no changes to the exterior from the cellar to the third floor. Rather than mimic the existing brick, the applicant proposes white cementitious paneling for the exterior that would include architectural detailing. The proposed fourth floor material should complement the existing building material.

- (e) *Sites are designed with sustainable landscaping; and*

The applicant states the property's landscaping will be designed to comply with applicable green building codes and stormwater management regulations.

- (f) *Sites are developed to promote connectivity both internally and with surrounding neighborhoods, including:*

- (1) *Pedestrian pathways through developments increase mobility and link neighborhoods to transit;*
- (2) *The development incorporates transit and bicycle facilities and amenities;*
- (3) *Streets, easements, and open spaces are designed to be safe and pedestrian friendly;*
- (4) *Large sites are integrated into the surrounding community through street and pedestrian connections; and*
- (5) *Waterfront development contains high quality trail and shoreline design as well as ensuring access and view corridors to the waterfront.*

The applicant states that they will provide internal long- and short-term bike storage. The applicant proposes no changes to the street or alley. Open space on the property will be enclosed with transparent enclosed fencing for clear views onto the public realm. The site is not a large development and is not located on, or near, the waterfront.

*604.8 The Zoning Commission shall find that the criteria of Subtitle X § 604.7 are met in a way that is superior to any matter-of-right development possible on the site.*

The proposed development would provide quality affordable housing that offers private independent living with longer-term residency.

## **B. SPECIAL EXCEPTION ANALYSIS**

Per Subtitle X § 603.4, an application for a special exception or variance that would otherwise require the approval of the Board of Zoning Adjustment may be heard simultaneously with a Design Review application and shall be subject to all applicable special exception criteria and variance standards.

### **Minimum Vehicle Parking, Subtitle C § 703**

703.1 *This section provides flexibility from the minimum required number of parking spaces when providing the required number of spaces would be:*

- (a) *Impractical due to the shape or configuration of the site;*
- (b) *Unnecessary due to a lack of demand for parking, or the site's proximity to transit options;*  
*or*
- (c) *Contrary to other District of Columbia regulations.*

Providing the required number of parking spaces is both impractical due to the configuration of the site and the site's proximity to transit options.

703.2 *The Board of Zoning Adjustment may grant a full or partial reduction in the number of required parking spaces, as a special exception pursuant to Subtitle X, Chapter 9, and subject to the applicant's demonstration to the Board's satisfaction of at least one (1) of the following:*

- (a) *Due to the physical constraints of the property, the required parking spaces cannot be provided either on the lot or within six hundred feet (600 ft.) of the lot in accordance with Subtitle C § 701.8;*
- (b) *The use or structure is particularly well served by mass transit, shared vehicle, or bicycle facilities;*
- (d) *All of the dwelling units are dedicated as affordable housing units.*

The existing building occupies 80% of the lot and the applicant does not propose to reduce the building footprint. Therefore, the current configuration leaves limited space for on-site parking. Additionally, the property is walking distance from the Stadium-Armory Metrorail station a Metrobus hub along 19<sup>th</sup> Street SE (Routes D24 and C41) and a Capital Bikeshare station, all of which alleviates the need for on-site parking. The applicant states that all units will be affordable for individuals earning 50% or below the Median Family Income (MFI).

703.3 *Any reduction in the required number of parking spaces granted under Subtitle C § 703.2 shall be:*

- (a) *Proportionate to the reduction in parking demand demonstrated by the applicant;*
- (b) *Limited to the number of spaces that the applicant demonstrates cannot reasonably be provided on the site as proposed to be developed in the application; and*
- (c) *Limited to relief from the minimum number of parking spaces required by this section and shall not provide relief from the location, access, size or layout, screening, or other requirements of this chapter.*

The requested relief from required number of parking spaces is equivalent to the minimum required by this chapter. The applicant has demonstrated that the required number of parking spaces cannot be accommodated on the property.

703.4 *Any request for a reduction of more than four (4) spaces from the required number of parking spaces shall include a transportation demand management plan approved by the District Department of Transportation, the implementation of which shall be a condition of the Board of Zoning Adjustment's approval.*

The proposal does include a reduction of more than four spaces; however, the applicant requests an area variance from transportation demand management plan.

**Penthouse Setback, Subtitle C §1506**

*1506.1 Relief from the requirements of Subtitle C §§ 1503 and 1504 may be granted as a special exception by the Board of Zoning Adjustment subject to:*

(a) *The special exception requirements of Subtitle X, Chapter 9;*

See below for full special exception review for X § 901.

(b) *The applicant's demonstration that reasonable effort has been made for the housing for mechanical equipment, stairway, and elevator penthouses to be in compliance with the required setbacks; and*

The applicant seeks relief to allow stairway and elevator penthouse space, which cannot reasonably meet the required setback from an open court. The applicant has demonstrated that the proposed penthouse space cannot reasonably meet the required setback of 46 feet.

(c) *The applicant's demonstration of at least one (1) of the following:*

(1) *The strict application of the requirements of this chapter would result in construction that is unduly restrictive, prohibitively costly, or unreasonable, or is inconsistent with building codes;*

(2) *The relief requested would result in a better design of the penthouse or rooftop structure without appearing to be an extension of the building wall;*

(3) *The relief requested would result in a penthouse or rooftop structure that is visually less intrusive; or*

(4) *Operating difficulties such as meeting D.C. Construction Code, Title 12 DCMR requirements for roof access and stairwell separation or elevator stack location to achieve reasonable efficiencies in lower floors; size of Subtitle C § 115 building lot; or other conditions relating to the building or surrounding area make full compliance unduly restrictive, prohibitively costly or unreasonable.*

The applicant has demonstrated all of the above. Due to the proposed building height, the strict application of the requirements would not feasibly support rooftop staircase access or the elevator mechanical space. Although the proposed rooftop structures would not meet the penthouse requirements, it would not result in building design of lesser quality and would be set back far enough to not be visually intrusive from the street. Without the relief, the applicant would be limited to rooftop structures to four feet in height and would not provide sufficient space for an elevator.

1506.2-4

Not applicable.

**Use Permissions (Conversions), Subtitle U § 320.2**

*320.2 The conversion of an existing residential building existing on the lot prior to May 12, 1958, to an apartment house, or the renovation or expansion of an existing apartment house deemed a*

*conforming use pursuant to Subtitle U § 301.4 that increases the number of units, shall be permitted in any of the RF-1 zones if approved by the Board of Zoning Adjustment as a special exception pursuant to Subtitle X, Chapter 9, and subject to the following conditions:*

- (a) The building to be converted or expanded is in existence on the property at the time the Department of Consumer and Regulatory Affairs accepts as complete the building permit application for the conversion or expansion;*
- (b) The fourth (4th) dwelling unit and every additional even number dwelling unit thereafter shall be subject to the requirements of Subtitle C, Chapter 10, Inclusionary Zoning, including the set aside requirement set forth at Subtitle C § 1003.10; and*
- (c) There shall be a minimum of nine hundred square feet (900 sq. ft.) of land area per each existing and new dwelling unit.*

The applicant indicates that building has existed since 1925 and, based on its current Certificate of Occupancy, is an existing rooming house, so condition (a) is met. The proposed apartment units will all be affordable, with every unit at, or below, 50% MFI. Therefore, the proposal is exempt from this requirement but would still satisfy condition (b). The applicant has requested an area variance from condition (c) to allow less than the minimum square footage of area per unit.

### **Special Exception Review Standards, Subtitle X §901**

*901.2 The Board of Zoning Adjustment is authorized under § 8 of the Zoning Act, D.C. Official Code § 6-641.07(g)(2), to grant special exceptions, as provided in this title, where, in the judgment of the Board of Zoning Adjustment, the special exceptions:*

- (a) Will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps;*

#### **Minimum Parking**

The requested special exception from the minimum parking requirements would be in harmony with the intent of the zoning regulations. The parking requirements are intended to ensure parking areas are designed to minimize negative impacts on adjacent property, urban design, the pedestrian environment, and public spaces. In this case, the property cannot accommodate the required parking; however, there are other transit alternatives nearby to offset the need for parking. The applicant states that it is unlikely that many residents will have a vehicle and the proposal would result in a nominal increase in the demand for parking. Therefore, there should be minimal impacts on adjacent properties.

#### **Penthouse Setback**

A rooftop structure may be erected to a height in excess of the building height authorized by the zone district, in accordance with the conditions specified in Subtitle C Chapter 15. The setback standards require that penthouse spaces be setback from the front, rear and side of a building a distance equal to its height. In this case, the rooftop structures would need to be setback 46 feet from all sides. Given the proposed height of the building and the existing building area, it is not feasible to meet this requirement and accommodate the stair tower and elevator overrun. The intent of the penthouse setback is to reduce visibility of

rooftop structures when viewed from the street and establish the structures as ancillary spaces to the bulk of the building. In this case, the rooftop structures are solely for mechanical use and rooftop access, and setback as far as possible from the buildings front and side facades while still adequately providing functionality of the spaces.

Use Permissions (Conversion to Apartments)

The intent of the special exception review for conversion of residential buildings to apartment houses is to verify that a proposed development project to balance individual property rights with the public's health, safety, and general welfare by ensuring compatibility with surrounding areas. In this case, the proposed apartment house would not increase the total unit in an immoderate manner, increasing by 10 units. The proposed conversion to apartment units should not have adverse impacts on the general health, safety and welfare of the neighboring properties. The conversion would improve the building and the quality of living for tenants.

- (b) *Will not tend to affect adversely, the use of neighboring property in accordance with the Zoning Regulations and Zoning Maps; and*

Minimum Parking

The requested relief from the parking requirements should not adversely affect the use of the neighboring properties as there Metrobus and Metrorail alternatives to offset the demand for parking. The apartment units are reserved for individuals earning 50% or below the MFI and it is unlikely that many residents own or will own a vehicle. The applicant is also providing indoor bike storage to support another mobility option.

Penthouse Setback

The proposed rooftop structures are setback far enough and are limited to eight feet in height to minimize views of the structures from the street. The rooftop spaces are not being used as habitable space, only for auxiliary uses. Therefore, there should be no infringement of privacy and views into adjacent properties.

Use Permissions

The proposed conversion to an apartment house should result in adverse impacts on neighboring properties. The building has frontage on East Capitol Street and has a 15-foot wide alley to the east of the property. The only directly impacted property would be the property to the south, which includes a single-family dwelling abuts the subject building. The portions of the apartment house that abut the property line will include no windows and the building does not extend past the rear wall of the abutting house.

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

OP does not recommend special conditions.

**C. AREA VARIANCE ANALYSIS**

Per Subtitle X § 603.4, an application for a special exception or variance that would otherwise require the approval of the Board of Zoning Adjustment may be heard simultaneously with a Design Review application and shall be subject to all applicable special exception criteria and variance standards.

*Extraordinary or Exceptional Situation or Condition Resulting in and Undue Hardship To the Property Owner*

(a) *Extraordinary or Exceptional Situation*

Minimum Vehicle Parking (TDM)

The applicant requests variance relief for exemption of the Transportation Demand Management (TDM) Plan which is a special exception requirement when there is a request for a reduction of more than four parking spaces (Subtitle C § 703.4). The extraordinary situation presented on the property is existing building footprint, which covers 80% of the total lot area. The remaining open space is an open court with a 19-foot access to a 15-foot wide alley. The applicant does not propose reducing the lot occupancy and the court cannot reasonably accommodate the required 31 parking spaces as there is not enough space for maneuvering a vehicle. The applicant informed OP that the court would primarily be an access zone for trash pickup, maintenance, and deliveries, and is not planned to be used for parking. In the absence of off-street parking, the property's proximity to bus and Metrorail services offers adequate alternatives to personal vehicle use. Additionally, the property serves, and will continue to serve, lower-income and unhoused residents that, in many cases, do not rely on personal vehicles.

Use Permissions (RF-1 zone)

Conversion to an apartment house in the RF-1 zone requires a minimum of 900 sq. ft. of lot area per each existing and new dwelling unit. The applicant proposes no changes to the building footprint and will renovate the existing interior of the building. The lot occupancy and lot area create conditions that make parking not suitable for the property. Historically, both the original 23-unit apartment house constructed in 1925 and the current use as a rooming house do not meet the minimum lot area requirement.

Design Review Requirements

The design review requires a minimum of two acres of lot area in the RF-1 zone for consideration. The site does not meet minimum lot area as it is constrained at 6,864 sq. ft. (0.18 acres). The applicant states that a VDR is the most efficient approach for this project.

(b) *Undue Hardship*

TDM

The strict application of the zoning regulations would result in hardship for the owner. As the site cannot accommodate parking and there are other options for mobility, a TDM is unnecessary. Providing a TDM would result in an unnecessary cost for the owner.

Use Permissions

Strict application of a minimum of 900 sq. ft. of lot area per unit would limit the building to seven full apartment units as a matter-of-right, which renders the expansion of the building and conversion of the rooming units into apartments impractical.

#### Design Review Requirements

The strict application of the minimum lot area would not permit design review of the project and would hinder opportunities for expansion of the building, allowed uses and total number of units.

#### *No Substantial Detriment to the Public Good*

##### TDM

Exemption of a TDM plan should not result in substantial detriment to the public good as the property is located in a transit-rich area with multiple transit options. Further, it is not anticipated that tenants would not have personal vehicles that would have impact on the existing on-street parking capacity.

##### Use Permissions

The applicant does not propose enlarging the building area or modifying the lot size. Granting the relief from minimum lot area per unit should not be detrimental to the public as it would support a increase in independent-living apartment units, which would provide quality living space for economically disadvantaged individuals in comparison to the existing rooming house.

##### Design Review Requirements

The proposed lot area to unit count ratio should not be detrimental to the public. Although the lot size is substandard, it should be able to accommodate the proposed number of apartment units as the existing building has total unit count that exceeds this requirement and the applicant proposes an marginal increase in units.

#### *No Substantial Impairment to the Intent, Purpose, and Integrity of the Zoning Regulations*

##### TDM

A TDM plan provides strategies to maximize transportation system efficiency, capitalize on alternative modes of mobility, reduce traffic congestion, and lower emissions from single-occupant vehicles. In this case, the property cannot accommodate off-street parking and the applicant states that many tenants would not rely on personal vehicles for transportation. This in return promotes public transit instead, which is easily accessible in the area. RF zones are intended to promote walkable neighborhoods, which this proposal would further advance.

##### Use Permissions

The 900-square-foot rule is still intended to regulate unit density in the RF zone. However, deviations from that guideline are permissible, subject to an applicant seeking variance relief. In such cases, the broader intents of the entire zone and the Zoning Regulations may also be considered, such as maintenance of neighborhood character, rather than just density. In this case, the variance relief would not permit a substantial increase in units compared to the existing unit count today.

The RF zones are intended to recognize and reinforce the importance of neighborhood character, walkable neighborhoods, housing affordability, aging in place, preservation of housing stock, improvements to the overall environment, and low- and moderate-density housing to the overall housing mix and health of the

city. The proposal reinforces the intent of the zone by providing affordable housing, increasing and improving the housing stock, supporting walkable neighborhoods, and preserving neighborhood character. The RF zones are also intended to prohibit the conversion of single household dwellings and flats for apartment house as anticipated in the RA zone; however, the subject property was previous an apartment house and is currently a rooming house, both of which are multiple dwelling units.

### Design Review Requirements

The purpose of the design review process is to allow for special projects to be approved by the Zoning Commission after a public hearing and a finding of no adverse impact, promote high-quality, contextual design, and permit some projects to voluntarily submit themselves for Design Review under this chapter in exchange for flexibility in building bulk control, design, and site placement without an increase in density or FAR. The applicant requests flexibility for design, parking, height, yards and penthouse requirements, all of which is permitted under design review if granted by the Zoning Commission. The design review process is intended to be shorter and less intensive than the PUD process and allow less deviation from matter-of-right zone standards. OP finds that the requested flexibility should not have adverse impacts and would result in high-quality design.

### **D. ADDITIONAL DESIGN FLEXIBILITY**

In addition to the requested technical flexibility from height and rear yard requirements, the applicant requests the following design flexibility:

- **Details – Location and Dimension:** To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the final plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
- **Exterior Materials – Color:** To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the final plans;
- **Interior Components:** To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the final plans;
- **Number of Units:** To provide a range in the approved number of apartment units between 58- 64; The applicant also requests design flexibility for exterior details and materials, interior components, total number of units (58 to 64), streetscape and site design, sustainable features and landscape materials.
- **Streetscape / Site Design:** To vary the location, attributes, and general design of the approved streetscape and site design elements to comply with the requirements of, and the approval by, the DDOT Public Space Division or the Public Space Committee;
- **Sustainable Features:** To vary the approved sustainable features of the Project, provided the Project maintains compliance with all applicable D.C. Green Building Act and Green Building Code requirements; and
- **Landscape Materials:** To vary the final selection of landscaping materials utilized based on availability at the time of construction.

OP has no objection to modifications to reconfiguration of interior components, materials and spaces provided that there is no decrease in the number of units lower than 59 rooming units, which is the existing number of rooming units. OP does not object to modifications to the exterior details and materials, provided that alternative material does not diminish the quality of material or character of the neighborhood. OP does not object to the variation of landscape materials and sustainable features provided that there is no reduction in proposed number shade trees as provided on the site/landscape plan and any modifications to sustainable features continue to comply with D.C. Green Building Act and Green Building Code requirements.

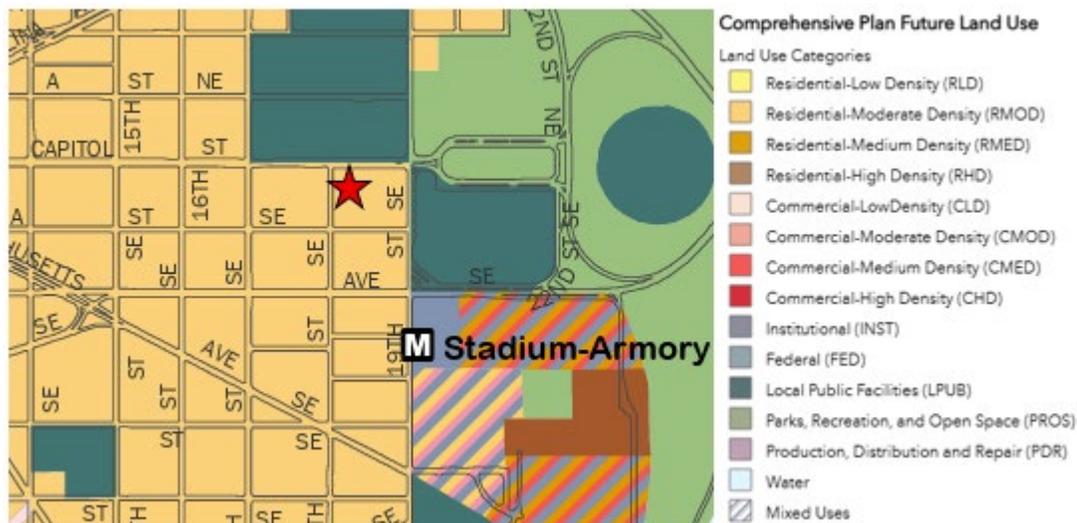
## VII. PLANNING CONTEXT AND RACIAL EQUITY ANALYSIS

### A. COMPREHENSIVE PLAN

604.5 *The Zoning Commission shall find that the proposed design review development is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site.*

On balance, the proposed design review would not be inconsistent with the Comprehensive Plan maps and policy objectives, particularly with respect to policies within the Land Use, Housing, Transportation, Environmental Protection, Urban Design and the Capitol Hill Area Elements. The proposal would also not be inconsistent when viewed through a Racial Equity Lens.

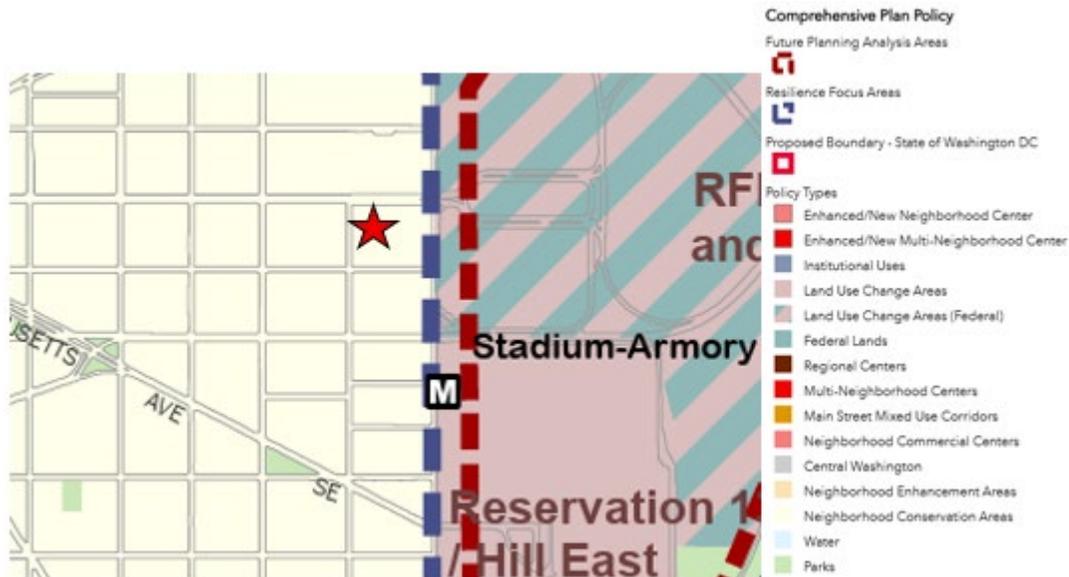
### Future Land Use Map (FLUM)



The FLUM designates the site as Residential-Moderate Density (RMOD). The RMOD category includes neighborhoods generally, but not exclusively, suited for row houses as well as low-rise garden apartment complexes; however, in some neighborhoods with this designation, there may also be existing multi-story apartments, many built decades ago when the areas were zoned for more dense uses (or were not zoned at all), which is the case here. The proposed building expansion would not alter the existing building footprint and although the applicant does not propose a Planned Unit Development (PUD), the RMOD allows greater density through PUDs, which allow a maximum height of 50 feet. The building with the proposed fourth floor would be 46 feet and would not exceed the maximum height allowed through a PUD. Density in RMOD areas can be calculated as the number of dwelling units per minimum

lot area. In this case, the required floor area ratio (FAR) but for conversions of buildings in the RF zones, 900 square feet of lot area is required per unit. The proposed building would not meet the minimum square foot per unit, however, due to the lot constraints, the applicant requests a variance from the minimum standards. The property is in the RF zone which is consistent with the RMOD category. Therefore, the proposal is not inconsistent with the FLUM.

### **Generalized Policy Map (GPM)**



The GPM designates the site as Neighborhood Conservation Area. Neighborhood Conservation areas have little vacant or underutilized land and are generally residential in character. The applicant does not propose changing the building from residential use. The guiding philosophy in Neighborhood Conservation Areas is to conserve and enhance established neighborhoods, but not preclude development, particularly to address city-wide housing needs. The proposed expansion would further advance the housing production target for the Capitol Hill Planning Area, which has not been met as of 2025. New alterations should be compatible with the existing scale, natural features, and character of each area in Neighborhood Conservation Areas. The proposed building expansion should be compatible with the surrounding development along East Capitol Street SE, which includes a four-story apartment building as part of Consolidated PUD and map amendment from RF-1 (formerly R-4) to RA-2 (formerly R-5-B) (ZC 06-34). Therefore, the proposal is not inconsistent with the GPM designation and policies.

## **B. RACIAL EQUITY ANALYSIS**

The Comprehensive Plan requires racial equity to be considered as part of the Comp Plan consistency analysis. The scope of the review and Comprehensive Plan policies that apply depend on the nature of the proposed zoning action.

### ***10-A DCMR § 2501.8***

*Prepare and implement tools, including training, to assist District agencies in evaluating and implementing the Comprehensive Plan's policies and actions through an equity, particularly a racial equity lens. This includes tools to use as part of the development review process, preparation of plans, zoning code updates, and preparation of the capital improvement program, that consider*

*how to apply an equity analysis in these processes, including any information needed. This shall specifically include a process for the Zoning Commission to evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis.*

The Comprehensive Plan Framework Element also states that equity is achieved by targeted actions and investments to create equitable opportunities. (10-A DCMR § 213.6.) Further, “equitable development is a participatory approach for meeting the needs of underserved communities through policies, programs and/or practices [and] holistically considers land use, transportation, housing, environmental, and cultural conditions, and creates access to education, services, healthcare, technology, workforce development, and employment opportunities.”

The Commission’s four-part Racial Equity Tool outlines information to be provided to assist in the evaluation of zoning actions through a racial equity lens.

### **Racial Equity Part 1: Comprehensive Plan Policies**

The proposed design and conversion of use are, on balance, not inconsistent with the Citywide Elements of the Comprehensive Plan, particularly related to housing, land use, urban design, environmental protection, transportation, and the Capitol Hill Planning Area.

#### ***Land Use Element***

Policy LU-1.4.3: Housing Around Metrorail Stations

Policy LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations

Policy LU-1.4.6: Development Along Corridors

Policy LU-2.1.5: Support Low-Density Neighborhoods

Policy: LU-2.1.8 Explore Approaches to Additional Density in Low- and Moderate-Density Neighborhoods

With the proposed expansion and renovations, the property would continue to offer affordable rental housing close to Metrorail, providing car-free living and reducing transportation costs. The site is located along a major corridor, East Capitol Street, which has a high-frequency Metrobus route (C41), and is located near 19<sup>th</sup> Street, which has both a high- and low-frequency Metrobus route (C41, D24). The proposed expansion should be designed respectfully to the character, scale, and integrity of adjacent properties along the corridor and in the neighborhood.

#### ***Transportation Element***

Policy T-1.1.7: Equitable Transportation Access

Policy T-1.1.8: Minimize Off-Street Parking

The site is conveniently located near multiple transportation options, including a high-frequency Metrobus route and Metrorail station, which provides affordable and reliable transit options to other areas in the District and surrounding municipalities. This proximity to multimodal transit options reduces the requirement for off-street parking, which the applicant has requested special exception relief from.

#### ***Housing Element***

Policy H-1.1.1: Private Sector Support

Policy H-1.1.5: Housing Quality

Policy H-1.1.8: Production of Housing in High-Cost Areas

Policy H-1.2.2: Production Targets  
Policy H-1.2.6: Build Nonprofit Sector Capacity  
Policy H-1.2.7: Density Bonuses for Affordable Housing  
Policy H-1.2.9 Advancing Diversity and Equity of Planning Areas  
Policy H-1.2.11 Inclusive Mixed-Income Neighborhoods  
Policy H-1.3.2: Tenure Diversity  
Policy H-1.3.6: Single Room Occupancy Units  
Policy H-1.3.6: Single Room Occupancy Units  
Policy H-1.5.1: Land and Building Regulations  
Policy H-2.1.9: Redevelopment of Affordable Housing  
Policy H-4.2.1: Ending Homelessness  
Policy H-4.2.2: Neighborhood-Based Services for Persons Living Without Homes  
Policy H-4.2.3: Increasing the Permanent Supportive Housing Supply

The proposal furthers several of the Housing Element policies. The requested design review is a zoning tool to assist developers with flexibility in building bulk, design, and site placement in exchange for high-quality projects. In this case, the non-profit organization, So Others Might Eat, requests relief to renovate and convert the existing rooming units to full apartment units with private kitchens and bathrooms. The building, together with the proposed fourth floor addition, is designed to be generally compatible with the design character of the surrounding neighborhood. The applicant ensures the units will all be affordable, which is encouraged in high-cost areas, such as Capitol Hill. The Capitol Hill Planning Area is one of the planning areas that has yet to meet the Affordable Housing Production Target. The proposed apartment units would help achieve the goal toward affordable and equitable housing in the Capitol Hill area. The proposal would also assist with providing quality housing for unhoused individuals.

The proposal would not further advance the following policies that target providing more family-sized units in the District.

Policy H-1.1.9: Housing for Families Encourage and prioritize the development of family-sized units and/or family-sized housing options which generally have three or more bedrooms, in areas proximate to transit, employment centers, schools, public facilities, and recreation to ensure that the District's most well-resourced locations remain accessible to families, particularly in areas that received increased residential density as a result of underlying changes to the Future Land Use Map.

Policy H-1.3.1: Housing for Larger Households Increase the supply of larger family-sized housing units for both ownership and rental by encouraging new and retaining existing single-family homes, duplexes, row houses, and three- and four-bedroom market rate and affordable apartments across Washington, DC. The effort should focus on both affordability of the units and the unit and building design features that support families, as well as the opportunity to locate near neighborhood amenities, such as parks, transit, schools, and retail. 505.8

Although there are no plans to include family-sized units, the applicant will continue to provide improved housing options for existing and new individual residents. There should not be a significant change in the number of tenants the building can accommodate compared to what is available today, based on the requested unit count

flexibility. The proposed single-occupant apartment units could offer lower housing and utility costs, more privacy and independent living, less maintenance, and serve as a beginning or transitional housing choice for individuals who choose to move to alternative accommodations later in life.

***Environmental Protection Element***

Policy E-1.1.2: Urban Heat Island Mitigation

Policy E-2.1.3: Sustainable Landscaping Practices

Policy E-2.1.5: Tree Planting on Private Lands

Policy E-3.2.7: Energy-Efficient Building and Site Planning

Policy E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff

Policy E-4.1.3: GI and Engineering

The applicant proposes introducing new tree plantings and vegetation on the property and improving on-site stormwater management. The applicant states that improvements to the property will comply with GAR requirements, DC Green Building Act requirements, and DOEE stormwater regulations.

***Urban Design Element***

Policy UD-2.2.1: Neighborhood Character and Identity

Policy UD-2.2.2: Areas of Strong Architectural Character

Policy UD-2.2.4: Transitions in Building Intensity

Policy UD-2.2.5: Infill Development

The applicant proposes renovating the building while incorporating high-quality and high-performance architectural designs and materials with the existing brick exterior and architectural details. This will help preserve the architectural continuity and design integrity of the area, which is not historic but has strong architectural character. The property is on a major corridor and on the corner edge of the block, which should not create conflict when transitioning down to the single-family residential uses to the south of the property.

***Capitol Hill Area Element***

Policy CH-1.1.1: Conserving Residential Uses

Policy CH-1.1.2: Renovation of Housing Stock

The proposal should maintain the integrity and quality of Capitol Hill's residential uses and recognize the importance of its historic architecture and character. Although the building is not in the historic district, the renovation and expansion of the building would be done with respect to those historic characteristics and compatibility with the surrounding dwellings.

**Racial Equity Tool Part 2: Applicant Community Outreach and Engagement**

The applicant identified ANC 7D and SOME constituents as impacted parties with the petition. The applicant attended ANC 7D's monthly meeting, posted the project information to the ANC's website, and met with nearby neighbors. There have been no comments from the ANC submitted to the record. The applicant identified unhoused residents as those who would benefit most from the proposal and

neighboring properties as those who could potentially be negatively impacted due to construction and shadows cast by the additional height.

**Racial Equity Tool Part 3: Disaggregated Data Regarding Race and Ethnicity**

Analysis of data over time can yield insights into trends in the planning area. The following data compares the American Community Survey 2012-2016 data with that of the 2019-2023 data, available from [OP's State Data Center](#). Each table below covers both 5-year periods for both the Capitol Hill planning area and Districtwide. As part of this design review, the site is subject to Comprehensive Plan review, including through a racial equity lens.

The subject property is in the Capitol Hill Planning Area (“planning area”) as described in Chapter 15 of the Comprehensive Plan. The ACS data shows that the population between 2012-2016 was at 58,133 persons or 8.8% of the Districts population. Within that time period, Whites alone accounted for majority of the Planning Area’s population followed by Blacks alone of the Plannings Area’s population. All other categories range between 5 to 0%.

From the 2017-2021 period to the 2019-2023 period, there was an increase in the District’s population as well as within the Planning Area. Both the Black and White populations for the District and planning area experienced a decrease; however, the Black population saw a larger decrease. All other categories, except Native Hawaiian/Other Pacific Islander and American Indian/Alaskan Native, saw noticeable increases in both the District and planning area, which could indicate that the population of the Planning area is become more diverse.

**Table 1: Population/Race or Ethnicity Districtwide and in the Capitol Hill Planning Area**

Race or Ethnicity	Districtwide 2012-2016	Planning Area 2012-2016	Planning Area Percent	Districtwide (2019-2023)	Planning Area (2019-2023)	Planning Area Percent
<b>Population</b>	659,009	58,133	100%	672,079	59,174	100%
<b>White alone</b>	266,035	35,483	61.03%	262,549	35,381	59.79%
<b>Black alone</b>	318,598	18,457	31.74%	290,772	14,894	25.17%
<b>American Indian and Alaskan Native alone</b>	2,174	150	0.25%	2,044	132	0.22%
<b>Asian alone</b>	24,036	1,702	0.29%	27,465	2,174	3.67%
<b>Native Hawaiian and Other Pacific Islander alone</b>	271	19	0.00%	378	35	0.06%
<b>Some other race alone</b>	29,650	597	1.02%	32,338	1,231	2.08%

<b>Two or more races</b>	18,245	1,727	2.97%	56,533	5,327	9%
<b>Hispanic or Latino</b>	69,106	3,242	5.57%	77,760	5,129	8.67%

**Median Income**

As shown Table 2 below, the Median income for the District in 2012-2016 was \$72,935, and in 2019-2023 was \$106,287 - substantially lower than of the Capitol Hill Planning Area at \$110,407 for 2012-2016 and \$58,932 for 2019-2023.

During the 2021-2016 period, Hispanics or Latino had the highest median income in the planning area, while Blacks alone had a median income of \$50,236, a third of that for Hispanic or Latino residents. In the 2019-2023 period, the median income of the District increased by almost \$30,000 while the median income of the Planning Area increased by nearly \$50,000. For the 2019-2023 period, White alone and Hispanic or Latino had the highest median income in the planning area. Black alone had the lowest income at \$83,654, which is over \$75,000 lower than the median household income in the planning area but higher than the District-wide median income. The decrease in the Black population in the planning area could correlate with the increase in median household income. Although data is not available for American Indian/Alaskan Native for the 2019-2023 period, based on the available data, that population also has lower median income; however, this population is a miniscule percentage of the District’s and planning area’s overall population.

**Table 2: Median Income Districtwide and in the Capitol Hill Planning Area (2012-2016 and 2019-2023)**

Median Income	Districtwide 2012-2016	Planning Area 2012-2016	Districtwide (2019-2023)	Planning Area (2019-2023)
<b>Median Household Income</b>	\$72,935	\$110,407	\$106,287	\$158,932
<b>White alone</b>	\$119,564	\$134,553	\$166,774	\$172,758
<b>Black or African American alone</b>	\$ 40,560	\$50,236	\$ 60,446	\$83,654
<b>American Indian and Alaskan Native alone</b>	\$ 51,306	\$31,985	\$ 63,617	N/A
<b>Asian alone</b>	\$ 91,453	\$116,592	\$121,619	\$174,520
<b>Native Hawaiian and Other Pacific Islander alone</b>	NA	NA	N/A	N/A
<b>Some other races</b>	\$ 48,047	\$62,246	\$ 74,754	\$205,407 <sup>3</sup>

<sup>3</sup> The disaggregated data shows a substantial increase in the median income for “Some other race”. OP is not confident that this data is correct based on other trends for the District and other planning areas.

<b>Two or more races</b>	\$ 83,243	\$115,609	\$ 116,869	\$115,669
<b>Hispanic or Latino</b>	\$ 60,848	\$156,736	\$ 106,435	\$175,665

***General Characteristics***

Between 2012-2016, the unemployment rate in the Planning Area was at 5.8%, which was lower than the District at 8.7% (Table 3). Although the rate of both the District and the Planning Area fell in 2019-2023, the Planning Area’s unemployment rate saw less of decrease but remained below the District as a whole.

The housing cost burden in the Planning Area was approximately 10 percentage points lower than that of the District during the 2012-2016 and 2019-2023 time periods. The poverty rate of the Planning Area in both time periods was approximately 5-7% points lower than that of the District.

**Table 3: General Characteristics of the District and Capitol Hill Planning Area**

<b>Characteristic</b>	<b>Districtwide 2012-2016</b>	<b>Planning Area 2012-2016</b>	<b>Districtwide (2019-2023)</b>	<b>Planning Area (2019-2023)</b>
<b>Unemployment Rate</b>	8.7%	5.8%	6.5%	5%
<b>Cost Burdened Households<sup>4</sup></b>	38.6%	28.6%	34%	23.8%
<b>Poverty Rate</b>	17.9%	11.0%	14.5%	9.8%

***Median Age and Vulnerable Populations***

In the 2012-2016 time period, 11.4% of the Districts population was 65 or older, while it was lower at 9.1% for the planning area. In the 2019-2023, it increased to 12.72% with a similar increase to 10.49% in the planning area. The percentage of children in the planning area rose during this time period, but remained below that of the District as a whole. The disability rate for the District remained constant for both periods but had an approximately 2% decrease in the Planning Area.

**Table 4: Vulnerable or Special Populations in the District and the Capitol Hill Planning Area**

<b>Special Populations</b>	<b>Districtwide 2012-2016</b>	<b>Planning Area 2012-2016</b>	<b>Districtwide 2019-2023</b>	<b>Planning Area 2019-2023</b>
<b>Persons 65 or Older</b>	11.4%	9.1%	12.72%	10.49%
<b>Persons Under 18 Years</b>	17.4%	13.3%	18.7%	17.77%
<b>Disability Rate</b>	11.3%	9.1%	11%	7.1%

***Housing Tenure***

<sup>4</sup> Percentage of households spending 30% or more of their income on housing

The rising cost of housing in the District limits the ability to provide housing for a variety of household types, including family, senior housing, rental and ownership housing, and housing for all income levels. The Comprehensive Plan notes that given the land use characteristics of the District, only a small amount of the total land area (28.1 percent) is dedicated to residential use (205.3). Scarcity of land increases the cost of new housing, limits the availability of housing, and intensifies housing cost burdens, particularly for lower- and middle-income households. The Comprehensive Plan states that “residents of color are a majority of lower-income households in the District and, therefore, face a disproportionate share of the problems caused by housing insecurity and displacement” (206.4).

The percentage of owner-occupied homes is higher in the planning area in both 2012-2016 and 2019-2023 when compared to the District as a whole. Both the planning area and District saw minimal increases in home ownership of approximately 1-2%. In the planning area, Hispanics or Latino and White alone households continue to have the highest percentages of owner-occupied housing during both time periods. During 2019-2023, Blacks alone, American Indian and Alaskan Native alone, and Two or more races had home ownerships levels below 50%, with American Indian and Alaskan Native Alone have the highest number of renters, whereas all populations have less than 50% homeownership in the District. Asian alone home ownership in the planning area increased from 43.1% in 2012-2016 to 63.5% in 2019-2023. Some other race saw the largest shift in from majority renters occupied to home ownership in the planning area. Overall, homeownership in the planning area is amongst the highest compared to other planning areas.

**Table 5A - Owner Occupied Households Districtwide and in the Capitol Hill Planning Area**

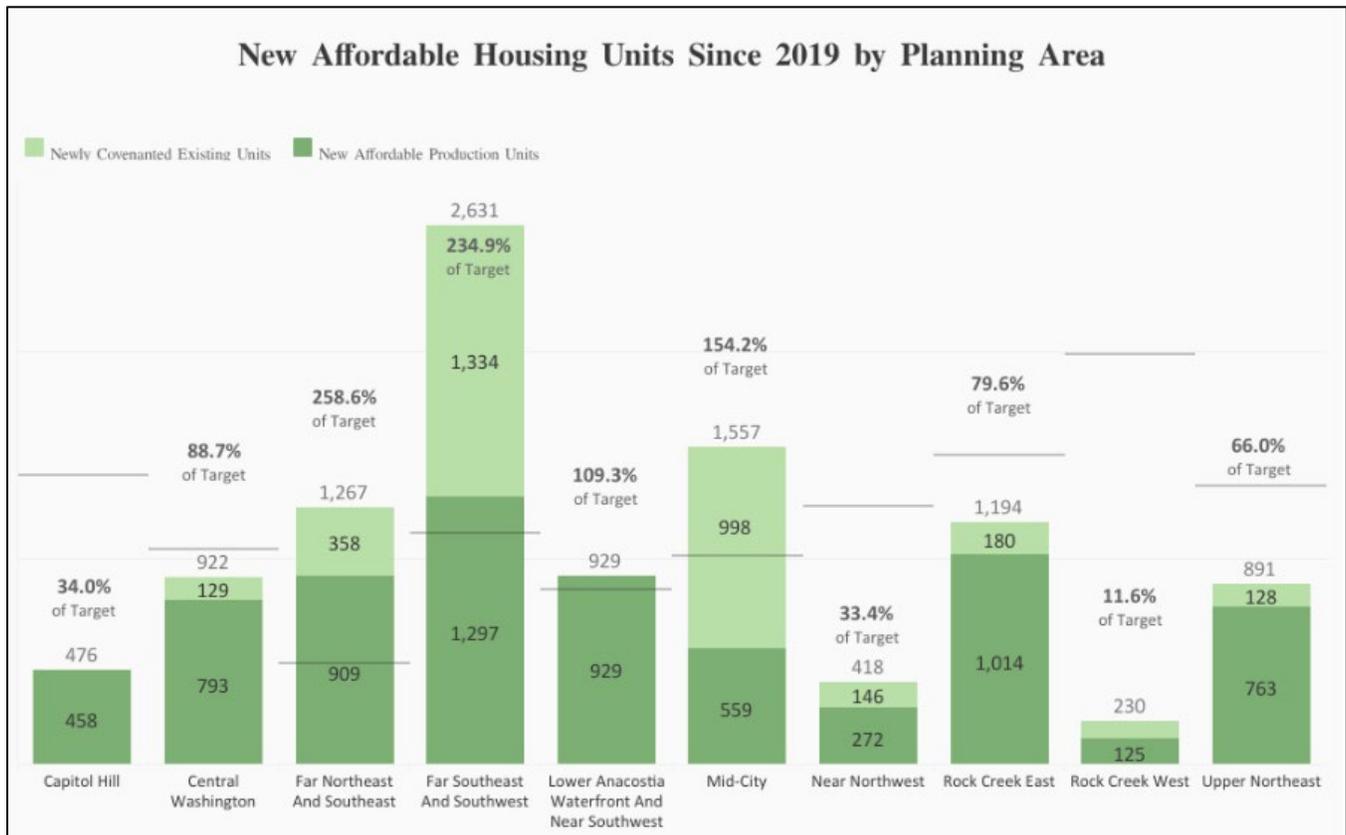
Characteristic	Districtwide 2012-2016	Planning Area 2012-2016	Districtwide (2019-2023)	Planning Area (2019-2023)
<b>Total Owner Occupied</b>	40.7%	50.0%	41.1%	52.7%
<b>White alone</b>	47.8%	52.3%	48.0%	55.8%
<b>Black or African American alone</b>	35.9%	46.6%	34.9%	46.6%
<b>American Indian and Alaskan Native alone</b>	32.8%	42.8%	19.6%	11.1%
<b>Asian alone</b>	39.4%	43.1%	41.4%	63.5%
<b>Native Hawaiian and Other Pacific Islander alone</b>	9.1%	0%	31.8%	100%
<b>Some other races</b>	17.5%	27.0%	28.7%	72.5%
<b>Two or more races</b>	32.7%	38.6%	41.3%	44.2%
<b>Hispanic or Latino</b>	30.9%	59.1%	36.4%	54.5%

**Table 5B: Renter Occupied Households Districtwide and in the Capitol Hill Area**

Renter Occupancy (disaggregated by race and ethnicity)	Districtwide 2012-2016	Planning Area 2012-2016	Districtwide (2019-2023)	Planning Area (2019-2023)
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<b>Total Renter Occupancy</b>	59.3%	50.0%	58.9%	47.3%
<b>White alone</b>	52.2%	47.7%	52.0%	45.5%
<b>Black or African American alone</b>	64.1%	53.4%	65.1%	53.5%
<b>American Indian and Alaskan Native Alone</b>	67.2%	57.2%	80.3%	88.9%
<b>Asian alone</b>	60.6%	56.9%	58.6%	36.5%
<b>Native Hawaiian and Other Pacific Islander alone</b>	90.9%	0.0%	3.0%	0%
<b>Some other races</b>	82.5%	73.8%	71.3%	27.5%
<b>Two or more races</b>	67.3%	61.4%	58.7%	55.9%
<b>Hispanic or Latino</b>	69.1%	40.9%	63.6%	45.9%

The 2019 Housing Equity Report establishes 2025 housing production goals as a first step toward achieving broader equity and access to opportunity and addressing the District’s housing challenges. The total housing goal for the Capitol Hill Planning Area is the production of 3,270 total housing units by 2025, with 1,400 affordable units generated through new development and the conversion of existing housing into affordable units. At the time the report was finalized, it was estimated that the Planning Area would not meet this goal. The most recent report indicated that the Planning Area has met 34% of its target. The data shows that Capitol Hill area has generated below its target of affordable housing units. Therefore, the affordable units generated by this project are necessary to meet the housing goals for the Planning Area and advance Comp Plan policies related to housing.



**Part 4 – Zoning Commission Evaluation Factors**

When considering the following themes/questions based on Comprehensive Plan policies related to racial equity, what are the anticipated positive and negative impacts and/or outcomes of the zoning action? Note: Additional themes may also apply.

Factor	Question	OP Response
<b>Direct Displacement</b>	Will the zoning action result in displacement of tenants or residents?	The proposed renovation and expansion would result in temporary displacement of tenants during construction. The property is currently vacant as the residents who previously lived there were relocated to other buildings that SOME owns and operates. The applicant has indicated the some of those residents will be able to return to the building.
<b>Indirect Displacement</b>	What examples of indirect displacement might result from the zoning action?	OP does not anticipate any indirect residential displacement as a result of the proposal. The property currently provides affordable living and will provide more affordable units with the expansion for lower-income and unhoused individuals and no market-rate units. The proposal should not have an impact on the surrounding property owners or property values.
<b>Housing</b>	Will the action result in changes to: <ul style="list-style-type: none"> <li>▪ Market Rate Housing</li> <li>▪ Affordable Housing</li> </ul>	The development would result add more affordable housing units in the Capitol Hill area. The proposed units would improve the quality of living for previous and future occupants. SOME is committed to providing

	<ul style="list-style-type: none"> <li>▪ Replacement Housing</li> </ul>	affordable housing for vulnerable residents including those experiencing homelessness and those that are housing cost burdened.
<b>Physical</b>	<p>Will the action result in changes to the physical environment such as:</p> <ul style="list-style-type: none"> <li>▪ Public Space Improvements</li> <li>▪ Urban Design Improvements</li> <li>▪ Streetscape Improvements</li> </ul>	The proposed development would increase in height, surpassing the average height of other buildings in the area; however, the height would be consistent with the height of an approved PUD and should not drastically conflict with the scale, character and height of development along East Capitol Street. The proposal does not include improvements to public space or streetscape; however, the applicant states that renovation and expansion of the existing building and improvements to adjacent public space may trigger DDOT requirements to reconstruct adjacent streetscape to current DDOT standards, including the repaving of sidewalks and installation of standard tree boxes.
<b>Access to Opportunity</b>	<p>Is there a change in access to opportunity?</p> <ul style="list-style-type: none"> <li>▪ Job Training/Creation</li> <li>▪ Healthcare</li> <li>▪ Addition of Retail/Access to New Services</li> </ul>	The proposal would not have direct impacts on job creation or training, healthcare, or the addition of retail. The project is, however, located near several modes of transit which provide convenient access to the aforementioned amenities and services. Further, the site is located near RFK stadium, which is proposed for redevelopment and could offer many new job opportunities.
<b>Community</b>	How did community outreach and engagement inform/change the zoning action?	The Applicant provides details of their outreach efforts as part of <a href="#">Exhibit 3</a> . The applicant has met with ANC 7D in addition to other outreach efforts as detailed above in Part 2 of the Racial Equity analysis.

### VIII. SUMMARY OF PLANNING ANALYSIS

The proposed development would not be inconsistent with the Comprehensive Plan. Specifically, the FLUM, the Generalized Policy Map, the Capitol Hill Area Element, and other Citywide Elements. The proposed residential development would provide all affordable units to underserved communities, maintain the character of the surrounding neighborhood, and should not have significant impact on traffic or the use of adjacent properties. Therefore, OP recommends approval of the requested design review and associated requested relief.

### IX. AGENCY COMMENTS

OP communicated with DDOT, who informed OP that they have communicated with the applicant and will submit a separate report.

No other agencies had filed a report to the Office of Zoning record as of the date OP completed this report.

### X. COMMUNITY COMMENTS

There is letter in record ([Exhibit 11](#)) from a neighboring property requesting the existing building exterior be preserved.

## **XI. ATTACHMENTS**

### **Attachment 1 Comprehensive Plan Policies**

#### **Land Use Element**

##### **Policy LU-1.4.3: Housing Around Metrorail Stations**

Build housing adjacent to Metrorail stations that serves a mix of incomes and household types, including families, older adults, and persons with disabilities, and prioritize affordable and deeply affordable housing production. Leverage the lowered transportation costs offered by proximity to transit to increase affordability for moderate and low-income households. 307.11

##### **Policy LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations**

Explore and implement as appropriate mechanisms, which could include community land trusts, public housing, and shared appreciation models, to encourage permanent affordable rental and for-sale multi-family housing, adjacent to Metrorail stations, given the need for accessible affordable housing and the opportunity for car-free and car-light living in such locations. 307.12

##### **Policy LU-1.4.6: Development Along Corridors**

Encourage growth and development along major corridors, particularly priority transit and multimodal corridors. Plan and design development adjacent to Metrorail stations and corridors to respect the character, scale, and integrity of adjacent neighborhoods, using approaches such as building design, transitions, or buffers, while balancing against the District's broader need for housing. 307.14

##### **Policy LU-2.1.5: Support Low-Density Neighborhoods**

Support and maintain the District's established low-density neighborhoods and related low-density zoning. Carefully manage the development of vacant land and alterations to existing structures to be compatible with the general design character and scale of the existing neighborhood and preserve civic and open space. 310.12

##### **Policy: LU-2.1.8 Explore Approaches to Additional Density in Low- and Moderate-Density Neighborhoods**

Notwithstanding Policy LU-2.1.5, explore approaches, including rezoning, to accommodate a modest increase in density and more diverse housing types in low-density and moderate-density neighborhoods where it would result in the appropriate production of additional housing and particularly affordable housing. Build upon the guidance of the April 2020 Single Family Housing Report to diversify the cost of housing available in high-opportunity, high-cost low- and moderate-density neighborhoods, especially near transit. However, neighborhood planning and engagement is a condition predicate to any proposals. Infill and new development shall be compatible with the design character of existing neighborhoods. Minimize demolition of housing in good condition. 310.15

#### **Transportation Element**

### **Policy T-1.1.7: Equitable Transportation Access**

Transportation within the District shall be accessible and serve all users. Residents, workers, and visitors should have access to safe, affordable and reliable transportation options regardless of age, race, income, geography or physical ability. Transportation should not be a barrier to economic, educational, or health opportunity for District residents. Transportation planning and development should be framed by a racial equity lens, to identify and address historic and current barriers and additional transportation burdens experienced by communities of color. 403.13

### **Policy T-1.1.8: Minimize Off-Street Parking**

An increase in vehicle parking has been shown to add vehicle trips to the transportation network. In light of this, excessive off-street vehicle parking should be discouraged. 403.14

## **Housing Element**

### **Policy H-1.1.1: Private Sector Support**

Encourage or require the private sector to provide both new market rate and affordable housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.3

### **Policy H-1.1.5: Housing Quality**

Require the design of affordable and accessible housing to meet or exceed the high-quality architectural standards achieved by market-rate housing. Such housing should be built with high-quality materials and systems that minimize long-term operation, repair, and capital replacement costs. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance, should be generally compatible with the design character of the surrounding neighborhood, and should address the need for open space and recreational amenities. 503.7

### **Policy H-1.1.8: Production of Housing in High-Cost Areas**

Encourage development of both market rate and affordable housing in high-cost areas of the District, making these areas more inclusive. Develop new, innovative tools and techniques that support affordable housing in these areas. Doing so increases costs per unit but provides greater benefits in terms of access to opportunity and outcomes. 503.10

### **Policy H-1.2.2: Production Targets**

Consistent with the Comprehensive Housing Strategy, work toward a goal that one-third of the new housing built in Washington, DC from 2018 to 2030, or approximately 20,000 units, should be affordable to persons earning 80 percent or less of the area-wide MFI. In aggregate, the supply of affordable units shall serve low-income households in proportions roughly equivalent to the proportions shown in Figure 5.8: 30 percent at 60 to 80 percent MFI, 30 percent at 30 to 60 percent MFI, and 40 percent at below 30 percent MFI. Set future housing production targets for market rate and affordable housing based on where gaps in supply by income occur and to reflect District goals. These targets shall acknowledge and address racial income disparities, including racially

adjusted MFIs, in the District, use racially disaggregated data, and evaluate actual production of market rate and affordable housing at moderate, low, very-low, and extremely low income levels. 504.9

**Policy H-1.2.6: Build Nonprofit Sector Capacity**

Actively involve and coordinate with the nonprofit sector, including faith-based institutions, to meet affordable housing needs, including housing construction and housing service delivery. Partner with the nonprofit sector so that public funding can be used to leverage the creation of affordable units and to expand access to housing through counseling, education, tenant rights services, and increased awareness of funding opportunities. Faith-based institutions represent a significant opportunity for the development of affordable housing and community facilities in Washington, DC and the provision of affordable housing and care of those in need is within their charitable missions. Faith-based institutions own nearly 6 million square feet of vacant land in the District and an estimated 4 million square feet of land with improvements. Much of the land owned by these institutions is in residential neighborhoods, adjacent to commercial corridors and have some type of residential zoning that limits them to low density development. These institutions may need technical support but have expressed their interest and commitment and can be willing partners in providing space for affordable housing. 504.14

**Policy H-1.2.9 Advancing Diversity and Equity of Planning Areas**

Proactively plan and facilitate affordable housing opportunities and make targeted investments that increase demographic diversity and equity across Washington, DC. Achieve a minimum of 15 percent affordable units within each Planning Area by 2050. Provide protected classes (see H-3.2 Housing Access) with a fair opportunity to live in a choice of homes and neighborhoods, including their current homes and neighborhoods. 504.17

**Policy H-1.2.11 Inclusive Mixed-Income Neighborhoods**

Support mixed-income housing by encouraging affordable housing in high-cost areas and market rate housing in low-income areas. Identify and implement measures that build in long-term affordability, preferably permanent or for the life of the project, to minimize displacement and achieve a balance of housing opportunities across the District. 504.19

**Policy H-1.3.2: Tenure Diversity**

Encourage the production of both renter- and owner-occupied housing, including housing that is affordable at low-income levels, throughout the District. 505.9

**Policy H-1.5.1: Land and Building Regulations**

Ensure the District's land regulations, including its housing and building codes, zoning regulations, construction standards, and permitting fees, enable the production of housing for all income groups. Avoid regulations that make it prohibitively expensive or difficult to construct housing. 507.2

**Policy H-2.1.9: Redevelopment of Affordable Housing**

As dedicated affordable housing reaches the end of its functional life, support maintaining or expanding the quantity of dedicated affordable housing in the redevelopment of the site to the greatest extent feasible, in line

with the District's goals as identified in the Framework Element including those for racial equity and equitable development, and with all applicable redevelopment strategies as referenced in Policy H-2.1.1. 510.13

**Policy H-4.2.1: Ending Homelessness**

Reduce the incidence of homelessness to rare, brief, and nonrecurring events in Washington, DC through prevention efforts, development of permanent supportive housing for people experiencing homelessness in all District Planning Areas, and active coordination of the placement of persons experiencing homelessness into housing that best fits their needs. 517.6

**Policy H-4.2.2: Neighborhood-Based Services for Persons Living Without Homes**

Encourage the provision of services for persons living without homes through neighborhood-based permanent supportive housing and SRO units. The smaller service model can reduce the likelihood of adverse impacts to surrounding uses, improve community acceptance, and also support the reintegration of persons experiencing homelessness back into the community. 517.7

**Policy H-4.2.3: Increasing the Permanent Supportive Housing Supply**

Increase the supply of permanent supportive housing affordable to extremely low-income households to reduce the length of shelter stays, free up additional shelter capacity, and provide stable long-term housing for those who are living without housing or at risk of living without housing. 517.8

**Environmental Protection Element**

**Policy E-1.1.2: Urban Heat Island Mitigation**

Wherever possible, reduce the urban heat island effect with cool and green roofs, expanded green space, cool pavement, tree planting, and tree protection efforts, prioritizing hotspots and those areas with the greatest number of heat-vulnerable residents. Incorporate heat island mitigation into planning for GI, tree canopy, parks, and public space initiatives. 603.6

**Policy E-2.1.3: Sustainable Landscaping Practices**

Encourage the use of sustainable landscaping practices to beautify the District, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity. District government, private developers, and community institutions should coordinate to significantly increase the use of these practices, including planting and maintaining mostly native trees and other plants on District-owned land outside the right-of-ways in schools, parks, and housing authority lands. 605.7

**Policy E-2.1.5: Tree Planting on Private Lands**

Encourage tree planting on private lands through incentive programs and outreach and education. Methods should include using GI, native plantings, pollinator gardens, and other habitat as a community benefit in planned unit developments and forming voluntary partnerships with major institutions such as universities, embassies, and hospitals. 605.9

### **Policy E-3.2.7: Energy-Efficient Building and Site Planning**

Include provisions for energy efficiency and for the use of alternative energy sources in the District's planning, zoning, and building standards. Encourage new development to exceed minimum code requirements and contribute to energy efficiency and clean energy goals. 612.9

### **Policy E-4.1.2: Using Landscaping and Green Roofs to Reduce Runoff**

Promote an increase in tree planting and vegetated spaces to reduce stormwater runoff and mitigate the urban heat island, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 615.4

### **Policy E-4.1.3: GI and Engineering**

Promote GI and engineering practices for rainwater reclamation and wastewater reuse systems. GI practices include green roofs, bioretention facilities, permeable pavement, and rainwater harvesting. Green engineering practices include emerging wastewater treatment technologies, constructed wetlands, and purple pipe systems or other design techniques, operational methods, and technology to reduce environmental damage and the toxicity of waste generated. 615.5

## **Urban Design Element**

### **Policy UD-2.2.1: Neighborhood Character and Identity**

Strengthen the visual qualities of Washington, DC's neighborhoods as infill development and building renovations occur by encouraging the use of high-quality and high-performance architectural designs and materials. In neighborhoods with diverse housing types, or when introducing more diverse infill housing types, use design measures to create visual and spatial compatibility. 909.5

### **Policy UD-2.2.2: Areas of Strong Architectural Character**

Preserve the architectural continuity and design integrity of historic districts and other areas of strong architectural character. New development, additions, and renovations within such areas do not need to replicate prevailing architectural styles exactly but should be complementary. 909.6

### **Policy UD-2.2.4: Transitions in Building Intensity**

Design transitions between large- and small-scale development. The relationship between taller, more visually prominent buildings and lower, smaller buildings (such as single-family or row houses) can be made more pleasing and gradual through a variety of context-specific design strategies, such as a slender massing of taller elements, stepping back the building at floors above its neighbors' predominant roof line, stepping a building's massing down to meet the roof line of its neighbors, or strategic placement of taller elements to mark corners, vista terminations, or large open-space frontages. 909.9

### **Policy UD-2.2.5: Infill Development**

New construction, infill development, redevelopment, and renovations to existing buildings should respond to and complement the defining visual and spatial qualities of the surrounding neighborhood, particularly regarding building roof lines, setbacks, and landscaping. Avoid overpowering contrasts of scale and height as infill development occurs. 909.10

### **Capitol Hill Area Element**

#### **Policy CH-1.1.1: Conserving Residential Uses**

Maintain the integrity and quality of Capitol Hill's residential uses and recognize the importance of its historic architecture and housing stock to the entire District. Ensure that Comprehensive Plan and zoning designations for Capitol Hill neighborhoods sustain its moderate density land use pattern. 1507.2

#### **Policy CH-1.1.2: Renovation of Housing Stock**

Encourage the rehabilitation and renovation of the building stock throughout the Capitol Hill Planning Area, taking steps to acknowledge and enhance its unique neighborhood character both within and outside historic districts. Where infill development occurs, its scale and character should be compatible with prevailing neighborhood densities, and its design should contribute to neighborhood continuity and quality. When evaluating compatibility of improvements designed to either enhance energy efficiency or to create more affordable housing, consideration should be given to weighing the benefits to the community and District against the benefits of preserving historic features. 1507.3