

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: June 15, 2018

SUBJECT: BZA Case 19787 (2604 29th Street, S.E.) to permit an apartment house to opt into Inclusionary Zoning requirements for increased density.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief:

- Applicability of achievable bonus density in inclusionary development, Subtitle C § 1001.2(e)(3), pursuant to Subtitle X § 900 (IZ units not required; at least one IZ unit required to opt in; 12 IZ units proposed).

II. LOCATION AND SITE DESCRIPTION

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|----------------------|---|
| Address | 2604 29 th Street, S.E. |
| Applicant | Goulston & Storrs for 2604 29 th Street, LLC |
| Legal Description | Square 5643, Lot 18 |
| Ward, ANC | Ward 7, ANC 7B |
| Zone | RA-1 provides for areas predominantly developed with low-to moderate-density development, including detached dwellings, attached dwellings low-rise apartments. |
| Historic District | Not applicable. |
| Lot Characteristics | The pentagon-shaped property has 8,754 square feet of area with approximately 68-feet of frontage along 29 th Street. The rear of lot has a width of 80-feet and abuts a 16-foot wide public alley. |
| Existing Development | The property is currently developed with a two-story, two-unit residential building containing 2,580 square feet of gross floor area, including a basement. |
| Adjacent Properties | To the north, are existing row dwellings and flats with frontage on Denver Street. To the south, are existing apartment houses with frontage on 29 th Street. To the east, across the public alley, are apartment houses having frontage on 30 th Street. To the west, across 29 th Street, are existing apartment houses. |

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| Surrounding Neighborhood Character | The surrounding neighborhood character is predominantly of moderate density residential, consisting of low-density apartment houses and attached dwellings. |
| Proposed Development | <p>The applicant proposes to construct a rear and third story addition to an existing flat, converting it to an apartment house having 12 units. Eight of the units would be included in the addition and compliance with Inclusionary Zoning requirements would not be required. Therefore, the applicant has requested special exception relief to opt in to Inclusionary Zoning requirements in order to achieve bonus density. The RA-1 zone allows a maximum FAR of 0.9 (7,878.6 square feet), and the requested bonus density would permit an FAR of 1.08 (9,454.32). The applicant indicates that the project would provide an FAR of 1.07 (9,339 square feet).</p> <p>Opting in to the Inclusionary Zoning regulations would require the provision of one IZ unit; however, the applicant has provided that all twelve units would be IZ. It has not yet been determined whether the development would consist of for-sale or for-rent units, but compliance with Subtitle C § 1003 regarding the depth of affordability would be required (60% MFI for rental units and 80% MFI for ownership units).</p> |

III. ZONING REQUIREMENTS and RELIEF REQUESTED

| Zone – RA-1 | Regulation | Proposed | Relief |
|--------------------------|-------------------------|--|---------------------|
| Floor Area Ratio F § 302 | 0.9 (9,454.32 sq. ft.) | 1.07 (9,339 sq. ft.) | Bonus FAR requested |
| Bonus FAR C § 1002 | 20% GFA | 16% GFA | Required |
| IZ Set-Aside C § 1003 | 8% GFA (747 sq. ft.) | 100% GFA (9,339 sq. ft.) | None required |
| Height (ft.) F § 303 | 40 ft. | 32.5 ft. | None required |
| Lot Occupancy F § 304 | 40% | 35% | None required |
| Rear Yard (ft.) F § 305 | 20 ft. | 22.25 ft. | None required |
| Side Yard (ft.) F § 306 | 8 ft. | 12.08 ft. (south) 12.58 ft. (north) | None required |
| Green Area Ratio F § 307 | 0.4 | Not provided | None requested |
| Parking C § 701 | 3 spaces | 2 spaces | None requested |

IV. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief from Subtitle C § 1001.2(e)(3), Applicability of Achievable Bonus Density in Inclusionary Development

(e) Any semi-detached, attached, flat, or multiple dwellings development not described in Subtitle C § 1001.2(b) through 1001.2(d) if the owner voluntarily agrees to the

requirements of Subtitle C § 1003 and meets all other requirements of this chapter, provided:

- (1) *The square footage set aside achieves a minimum of one (1) Inclusionary Unit;*

With the requested bonus density, the proposal would have a total of 9,339 square feet and an FAR of 1.07. Eight percent of the floor area, or 747 square feet, would be required to be provided as an IZ unit. The applicant has indicated that all twelve units in the proposed development would comply with IZ requirements.

- (2) *Residential developments located in the areas identified by Subtitle C § 1001.5(a) may not use the modifications to height and lot occupancy, or minimum lot area or width; and*

The proposed development would comply with all development regulations, including height, lot occupancy, and lot requirements. Relief has not been requested from these requirements.

- (3) *Any use of the bonus density provided in Subtitle C § 1002 in the R-2, R-3, R-10, R-13, R-17, R-20, RF-1, RF-2, RF-3, RF-4, RF-5, or the RA-1 zones shall require special exception approval pursuant to Subtitle X, Chapter 9.*

The applicant has requested special exception relief because the proposed development would be located in the RA-1 zone.

i. Is the proposal in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?

The proposal would be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps. The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including low-rise apartments. The requested bonus density would result in an additional 1,461 square feet in the development, which would fit within the existing bulk regulations for the zone. The development would comply with height, lot occupancy, rear yard, and side yard requirements, and would be consistent with surrounding development, which provides a variety of housing types, including apartment houses.

ii. Would the proposal appear to tend to affect adversely, the use of neighboring property?

The proposed development would not appear to adversely affect the use of neighboring property. The development would provide buffers from adjacent development, including increased side yards and rear yard, and would be consistent with adjacent existing development, including apartment houses located to the south. The project would comply with or exceed minimum development regulations, allowing sufficient light and air to adjacent properties. In addition, the development would be required to comply with minimum parking requirements.

V. COMMENTS OF OTHER DISTRICT AGENCIES

DDOT has a filed a report indicating that the proposal would have no adverse impacts ([Exhibit 34](#)).

VI. COMMUNITY COMMENTS

As of the date of this writing, one letter in opposition had been provided to the record ([Exhibit 31](#)). Additional comments and a recommendation from the ANC had not been received. The applicant should provide an update at the public hearing regarding outreach efforts and coordination with the ANC.

Location Map

