

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment

**FROM:** Maxine Brown-Roberts, Development Review Specialist  
Joel Lawson, Associate Director Development Review

**DATE:** June 24, 2022

**SUBJECT:** BZA 20736 - Construct an 8-unit apartment building at 2611 12<sup>th</sup> Place, SE in the RA-1 zone.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- New Residential Developments, Subtitle U § 421, pursuant to Subtitle X § 901

OP has discussed making the following changes with the Applicant:

- Show the location of the refuse enclosure;
- Highlight the location of the IZ Unit on the floor plans;
- Label the required Landscape Plan and identify proposed plantings;
- Add decorative brick pattern to walls at first floor around the main door to emphasize the building entrance; and
- Redesign building entrance so that any projections into public space maintain the minimum 10-foot distance from the adjacent curb.

**II. LOCATION AND SITE DESCRIPTION**

Address	2611 12 <sup>th</sup> Place, SE.
Applicant	RUPSHA 2011 LLC
Legal Description	Square 5875, Lot 45
Ward, ANC	Ward 8, ANC 8E
Zone	RA-1 - provides for areas predominantly developed with low - to moderate-density development, including low-rise apartments with the approval of a special exception.
Historic District	None
Lot Characteristics	The rectangular lot has an area of 7,848.35 square feet (135 ft. x 52.21 ft.). The lot raises approximately five feet above 12 <sup>th</sup> Place and then is fairly flat.
Existing Development	The subject property is currently undeveloped.

Adjacent Properties	To the east, across 12 <sup>th</sup> Place, is a recreational area with courts and fields; to the south is an undeveloped property; and to the north and west are two- and three-story, single-family detached buildings.
Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly apartment buildings interspersed with intuitional uses with a few single-family detached buildings.
Proposed Development	A three-story with cellar apartment building with 8 dwelling units, one of which would be an IZ unit.

### III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – RA-1	Regulation	Proposed	Relief
New Residential Developments U § 421	Sp. Ex. req. for multi-family residential developments	three-story plus cellar building consisting of 8 dwelling units	<b>Sp. Ex. Required</b>
Lot Width	--	52.16 ft.	None required
Lot Area	--	7,048 sq. ft.	None required
Floor Area Ratio, F § 302	0.9 max.; 1.08 max for IZ	1.05 (IZ)	None required
Height, F§ 303	40 ft./3stories max.	36 ft.	None required
Lot Occupancy, F§ 304	40% max.	36%	None required
Rear Yard, F§ 305	20 ft. min.	20 ft.	None required
Side Yard, F§ 306	8 ft. min.	35.04 ft. (right) 12.54 ft. (left)	None required
Green Area Ratio, F § 307	0.4 min.	Not provided	None requested
Inclusionary Zoning, C § 1003	Greater of 10% GFA or 75% of bonus density	970 sq. ft.	None required
Parking, C § 701	1 per 3 dwelling units in excess of 4 units = 2 min.	2 spaces	None required
Bicycle Parking, C § 802	LT: 1 space/2 du. ST: 1 space / 20 du.	3 spaces (on first floor) 1 short term space	None required
GAR	0.4	0.468	None required

### IV. OFFICE OF PLANNING ANALYSIS

#### **Special Exception Subtitle U § 421**

*421.1 In the RA-1 and RA-6 zones, all new residential developments, except those comprising all one-family detached and semi-detached dwellings, shall be reviewed by the Board of Zoning Adjustment as special exceptions under Subtitle X, in accordance with the standards and requirements in this section.*

*421.2 The Board of Zoning Adjustment shall refer the application to the relevant District of Columbia agencies for comment and recommendation as to the adequacy of the following:*

*(a) Existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project; and*

The application was submitted to the Office of the State Superintendent of Education, but no comments have been provided at the time of this report. All District of Columbia Public Schools (DCPS) students eligible for grades K-12 have a guaranteed right to enroll in their in-boundary school. The number of children anticipated from the eight units should not substantially impact school capacity. The assigned in-boundary schools for this development are:

- Turner Elementary School at 3264 Stanton Road, S.E. and is a 10-minute walk from the subject property;
- John Hayden Johnson Middle School at 1400 Bruce Place, SE is 4-minutes from the subject property; and
- Ballou senior high school at 3401 4th St SE is 1.8 miles or an 8-minute drive from the subject property.

*(b) Public streets, recreation, and other services to accommodate the residents*

#### Public Streets/Transportation

No additional street improvements would be necessary to accommodate the development. The required two parking spaces would be located on the eastern portion of the property. The site plan includes a curb cut on 12<sup>th</sup> Place to access the parking spaces and requires separate approval from the District Department of Transportation (DDOT).

The development is located 0.8 miles from the Congress Height Metro Station, which is about a 15-minute walk from the site. The W6 and W8 bus line passes in front the property along 12<sup>th</sup> Place with a bus stop at the 12<sup>th</sup> Place and Robinson Place corner. The site is accessible to and connects the commercial development at the Shops at Park Village in Congress Heights, St. Elizabeths to the south and southeast of the site and Anacostia to the northwest.

#### Recreation

The subject application was referred to the Department of Parks and Recreation (DPR) but at the time of this report no comments have been provided. Across 12<sup>th</sup> Place are fields and tennis courts associate with the school. Other recreational facilities in the area include the Entertainment and Sports Arena at St. Elizabeths which is 1.2 miles from the property; Oxon Run Park along Alabama Avenue, SE and has various active and passive recreational facilities including the SE Tennis and Learning Center, and The ARC and are about 1.5 miles from the property.

#### Other Services

Various neighborhood-serving retail uses are located approximately 0.8 miles from the site at the Shops at Park Village, which is located at Stanton Road and Alabama Avenue, SE. There is also retail and services uses along Martin Luther King, Jr. Avenue in Anacostia.

*421.3 The Board of Zoning Adjustment shall refer the application to the Office of Planning for comment and recommendation on the site plan, arrangement of buildings and structures,*

*and provisions of light, air, parking, recreation, landscaping, and grading as they relate to the surrounding neighborhood, and the relationship of the proposed project to public plans and projects.*

### Site Plan and Grading

The Applicant proposes to construct a new building consisting of 8 dwelling units, on a currently undeveloped site. A new curb cut would be created on 12<sup>th</sup> Place, allowing for the construction of a driveway providing access to the side of the lot, where two parking spaces would be located. The driveway would also provide access to an enclosed trash storage area at the rear of the lot. The proposed curb cut requires separate approval from DDOT.

The Applicant provided a grading plan demonstrating that with the development of the property, the re-grading would be minimal and the change in grade along 12<sup>th</sup> Place would be maintained with the assistance of a retaining wall which currently exist.

### Arrangement of Buildings and Structures

The proposed building would comply with the development standards of the RA-1 zone, providing required side yard and rear yards, and complying with lot occupancy and height requirements for the zone.

The building proposes a single entrance along the 12<sup>th</sup> Place south building elevation. OP recommended the addition of a decorative brick pattern to walls at first floor around the main door to emphasize the building entrance. Landscaping has been proposed along each side of the building façade, including evergreen and ornamental grass which provides additional enhancement to the site design.

### Light and Air

The proposed building should not substantially impact light and air to neighboring properties. The building would have a height of 36 feet, where 40 feet is permitted. Compliant side yards of 35.04 feet (right) and 12.54 feet (left) and 20-foot rear yard would be provided, ensuring sufficient separation between adjacent buildings, and mitigating the impact of the development on neighboring properties. With these setbacks, shadowing that may result would be limited and should not substantially impact the light and air to adjacent houses.

### Design, Materials, and Landscaping

The proposed building would be a combination of brick and hardy board which are common building material in the neighborhood and would complement the existing built environment. Landscaping has been proposed on all sides of the building, helping the building to meet its required GAR score and to blend into the neighborhood.

There seem to be at least two mature trees on the lot. While they may not be heritage trees, they are large and would have to be removed to accommodate the building. The Applicant has been advised to consult with the arborist at DDOT to assess if removal or preservation is warranted for both trees. The landscape plan shows three new trees on the property to the rear of the building and the addition of smaller trees, shrubs, and grass.

Parking

The proposed project would include two parking spaces located at the right side of the building and accessed by a driveway and curb cut off 12<sup>th</sup> Place. If DDOT does not approve the requested curb cut, revisions to accommodate parking or change site circulation would require additional review by the Board of Zoning Adjustment.

The plans indicate a bicycle room on the first floor of the building near the entrance for long term storage while short term storage would be provided on a rack outside near the parking spaces.

The Applicant in their written statement states that refuse would be stored in an enclosed area at the rear of the building. However, the location is not indicated on the plans. The Applicant has been advised to update the plans to show the refuse enclosure.

*421.4 In addition to other filing requirements, the developer shall submit to the Board of Zoning Adjustment with the application a site plan and set of typical floor plans and elevations, grading plan (existing and final), landscaping plan, and plans for all new rights-of-way and easements.*

The Applicant has submitted a site plan, typical floor plans, elevations, grading, and landscaping plans to the record at Exhibit 6.

**General Special Exception Subtitle X § 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;*

The RA-1 zone provides for areas predominantly developed with low- to moderate-density development, including detached dwellings, rowhouses, and low-rise apartments. Apartments are permitted with the approval of a special exception, as has been requested in this case. As has been demonstrated, the proposal is generally in harmony with the general purpose and intent of the Zoning Regulations and Zoning maps.

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

As addressed in the above analysis, the requested special exception would not appear to adversely affect the use neighboring property.

**V. OTHER DISTRICT AGENCIES**

As of the date of this report, comments from other District Agencies had not been filed to the record.

## VI. ADVISORY NEIGHBORHOOD COMMISSION

The property is within ANC 8E. As the time of this report, the ANC had not filed a report to the record.

## VII. COMMUNITY COMMENTS TO DATE

At the time of this report, no comments from the community had not been filed to the record.

### Location Plan

