

SUPPLEMENTAL REPORT

TO: District of Columbia Board of Zoning Adjustment
FROM: Karen Thomas, Development Review Specialist
JL Joel Lawson, Associate Director Development Review
DATE: September 9, 2022

SUBJECT: BZA Case 20779 (1224 Brentwood Road, N.E.) to construct a new, detached, three-story with cellar, penthouse, and roof deck, 4-unit apartment house 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 Development, Subtitle U § 421, pursuant to Subtitle X § 901.2 (existing building to be razed; new residential development consisting of 4 dwelling units proposed).
- Screening Requirements for Surface Parking, Subtitle C § 714., pursuant to Subtitle X § 901.2 (screening of surface parking required; no screening of surface parking proposed).

II. LOCATION AND SITE DESCRIPTION

Address	1224 Brentwood Road, N.E.
Applicant	Sullivan & Barros, LLP for 1224 Brentwood Rd NE LLC
Legal Description	Square 3938, Lot 20
Ward, ANC	Ward 5, ANC 5C
Zone	The RA-1 zone allows detached dwellings and semi-detached dwellings by-right, and rowhouses and low-rise apartments with special exception approval.
Historic District	None
Lot Characteristics	The rectangular lot has 3,803 square feet of area and 45-feet of frontage along Brentwood Road. At the rear of the lot is a 15-foot-wide public alley.
Existing Development	The lot is currently developed with a single-story detached building with one dwelling unit.
Adjacent Properties	To the north and south are single-story detached buildings with one dwelling unit. To the east, across Brentwood Road, are three-story apartment houses. To the west is a large institutional use and associated surface parking lot.
Surrounding Neighborhood Character	The surrounding neighborhood consists of residential, institutional, retail, and industrial uses. The site is located 0.5 miles from the Rhode Island Ave-Brentwood Metro station. It is approximately the same distance to the Metropolitan Branch Trail, allowing for easy pedestrian and bicycle access.

Proposed Development	The Applicant proposes to raze the existing building and construct a new three-story plus cellar apartment house with 4 dwelling units. The building would be 33.5-feet in height, with an 11-foot-high penthouse. The building entrance would face Brentwood Road. Four parking spaces would be provided along the alley. Trash receptacles would be at the rear of the lot.
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III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – RA-1	Regulation	Existing	Proposed	Relief
New Residential Developments U § 421	Sp. Ex. Req. for multi-family residential developments	Single-story, residential detached building with one unit	New three-story plus cellar apartment house with 4 units	Sp. Ex. Requested
Lot Width	--	45 ft.	No change	None required
Lot Area	--	3,803 sq. ft.	No change	None required
Floor Area Ratio F § 302	0.9 max.; 1.08 max for IZ	0.3	0.9	None required
Height F § 303	40 ft./3 stories max.	19 ft.	33.5 ft.	None required
Penthouse Height F § 303	12 ft. max.	--	11 ft.	None required
Lot Occupancy F§ 304	40% max.	24.9%	30.5%	None required
Rear Yard F§ 305	20 ft. min.	39.5 ft.	39.5 ft.	None required
Side Yard F§ 306	One side yard, 3 in. per foot of height = 8.3 ft. min.	5.5 ft. (north) 9.1 ft. (south)	No change	None required
Green Area Ratio F § 307	0.4	--	Not provided	None requested
Inclusionary Zoning C § 1003	If bonus density is used = 1 unit	--	Bonus density not used; none proposed	None required
Dwelling Units		1 unit	4 units	None required
Parking C § 701	1 per 3 dwelling units > 4 units = 1 space	--	4 spaces	None requested
Screening for Surface Parking C § 714	42 in. high screening required around entire perimeter of parking area	None	None	Sp. Ex. Requested
Bicycle Parking C § 802	None required	0 spaces	None shown on the submitted plans	None required

IV. OFFICE OF PLANNING ANALYSIS

a. Special Exception Relief from Subtitle U § 421, New Residential Developments

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:*

The subject application was referred to the District Department of Transportation (DDOT), the Department of Parks and Recreation (DPR) and the Office of the State Superintendent for Schools (OSSE) at Exhibit 15.

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

The Office of the State Superintendent of Education did not provide comments for this proposal. 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 assigned in-boundary schools for this development are Noyes Elementary School, Brookland Middle School, and Dunbar High School. Based on data obtained from the DCPS website, Noyes Elementary School is at 85% capacity, Brookland Middle School is at 47% capacity, and Dunbar High School is at 59% capacity.

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

Public Streets/Transportation

OP defers to the District Department of Transportation (DDOT) to comment on the adequacy of the public streets, public alleys and transportation infrastructure. The application was referred to DDOT at Exhibit 15. DDOT's report noting no objection to the proposal is included in the record at Exhibit 17. The proposal for 4 dwelling units would require 1 parking space and four spaces would be provided.

The development is located 0.5 miles from the Rhode Island-Brentwood Metro Station, which is about a 10-minute walk from the site. Several bus lines are located along Rhode Island Avenue, a short walk from the site, connecting the development to the Brookland and Shaw neighborhoods.

Recreation

The Brentwood Recreation Center, which includes a computer lab, indoor basketball court, and baseball field, is 0.5 miles to the southeast. The Edgewood Recreation Center is located approximately one mile to the west and includes a playground and spray park. The Noyes Recreation Center is located about 0.3 miles to the north and includes a playground. The Chuck Brown

Memorial Park is within a mile northeast of the site. The Metropolitan Branch Trail across Rhode Island Avenue provides north-south bicycle and pedestrian access across several neighborhoods in the District.

Other Services

Neighborhood-serving retail is located 0.5 miles to the west near the Rhode Island Avenue-Brentwood Metro station, including restaurants, grocery store, home improvement store, and bank. Additional retail is located along Rhode Island Avenue.

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 raze the existing detached building on the lot and construct a new three-story with cellar and penthouse, apartment house with 4 dwelling units. Based on information provided by the Applicant, the proposed building would comply with the development standards for the RA-1 zone and does not require relief from those provisions.

The Applicant's preliminary statement included that a landscaping and grading plan would be provided. The site plans submitted at Exhibit 20A include both existing and proposed grade lines. The plans indicate a regrading of portions of the site, but do not appear to indicate significant new retaining walls, other than for a new entrance to the lowest level and for window wells. They also indicate the use of permeable pavers for the parking area. The building would be set back significantly from the street and would generally be in alignment with other buildings along the street. There are no trees in the front yard.

Trash receptacles would be located at the rear of the lot and would be serviced once per week via the alley. OP prefers the trash containers placed in the building but if outside should be screened. The submitted grading and landscaping plan (Exhibit 20A) shows the trash area with what seems to be screening but it should be labeled and described on the plans. The applicant should provide this information to the record or at the hearing.

Arrangement of Buildings and Structures

The proposed development would be in a residential neighborhood of detached residential buildings, although there are apartment houses opposite the site on Brentwood Road, and similar type development has been recently approved by the BZA, including at 1005 and 1007 Bryant Street NE and at 2420 12th Street.

The proposed building would comply with the development standards of the zone, providing required side and rear yards, and complying with lot occupancy and height requirements. The front entrance would be located along the east side of the building and enhanced with a canopy. All of the units

would be accessible from the front entrance, although some units would also have access to patios or decks.

The proposed penthouse would provide outdoor space for unit 301 only. The Applicant has indicated that this space complies with the penthouse regulations and has not requested relief.

Light and Air

The proposed building should not impact light and air to neighboring properties beyond what is anticipated in the RA-1 zone.

The building would have a height of 33.5 feet, where 40-feet is permitted. The new building would be generally over the location of the existing one. The side yard of 5-feet along the north property line would be maintained, providing separation between the proposed building and the existing detached residential building. The side yard measurements show 9.1 feet on the south side but 5.5 feet on the north side, however, relief is not required since only one side yard of approximately 8.4 feet is required per F-306.2(a). The proposed building would be separated from the existing church building to the west by a 39.6-foot rear yard and the existing 15-foot-wide public alley.

A shadow study has not been provided to the record; however, it is anticipated that shadowing on the property to the north should not be undue. Because the bulk and massing of the proposed development complies with the development standards of the RA-1 zone, the resulting impact is anticipated by the Zoning Regulations.

Design, Materials, and Landscaping

The Applicant's proposal seems to consist predominantly of cementitious panels consistent with similar emerging structures in the surrounding neighborhood. Juliette balconies are added to the front façade.

A landscape plan has been provided at Exhibit 20A. The project will comply with Green Area Ratio requirements as shown on the GAR scoresheet and the Department of Energy and the Environment's Stormwater Regulations, including the provision of permeable pavers in the parking area. The proposed landscaping would be consistent with the established neighborhood character, which generally features green open spaces and lawns. No trees would be removed or damaged.

Parking

The proposed project would provide four parking spaces on the lot, exceeding the requirement. Additionally, the site is within 0.5 miles from Metro, which would allow for a 50% reduction in parking requirements. Plans appear to indicate that pervious paving would be used for the parking area.

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 developer has submitted a site plan, typical floor plans, and elevations at Exhibit 6.

The grading plan and landscaping plan have now been provided to the record a part of Exhibit 20A..

b. Special Exception Relief from Subtitle X § 901.2

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 low-rise apartments, which are permitted with the approval of a special exception, as has been requested in this case. The building meets the height, bulk and setback requirements for the zone. Therefore, the request is 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.

c. Special Exception Relief from Subtitle C § 714 -Screening Requirements for Surface Parking

Subtitle C § 714 requires screening for any external surface parking spaces for this proposal, in accordance with the following provisions:

(a) Screening shall be provided around the entire perimeter of the surface parking area;

(b) Gaps in the screening are allowed only to provide driveways and pedestrian exits or entrances that open directly onto a street, sidewalk or alley. No individual gap may exceed twenty feet (20 ft.) in width; and

(c) The screening shall be either:

(1) A wall or solid fence at least forty-two (42) inches high; or

(2) Evergreen hedges or evergreen growing trees that are thickly planted and maintained, and that are at least forty-two (42) inches in height when planted and maintained in perpetuity.

The Applicant requested a waiver from these requirements, which the Board may grant subject to the satisfaction of the following conditions:

Section 714.3(a): Impacts on the pedestrian environment within adjacent streets, sidewalks, and other public areas;

The parking area would be located at the rear with minimal pedestrian conflict, as it is the alley. Accordingly, lack of a screening wall should not adversely impact the pedestrian environment within adjacent streets, sidewalks and other public areas.

Section 714.3(b): Existing vegetation, buildings or protective screening walls located on adjacent property;

There are existing fences along the property lines shared with adjacent properties to the north and south which act as barriers between the proposed parking area and adjacent properties.

Section 714.3(c): Existing topographic conditions;

The property is generally flat at the rear, and the parking pad is at the same elevation as the alley. Parking is anticipated at the rear of properties and this area would not be out of character with existing properties as viewed from the rear, as well as from the church parking immediately across the alley. The parking area would include planters with shrubbery, and this should mitigate against headlights impacting residents.

Section 714.3(d): Traffic conditions; and

This should not impact traffic conditions at the rear of the alley, which currently serves as rear access for up to six residential buildings and the church building across the alley. The DDOT report is noted at Exhibit 17 and expressed no concerns in this regard.

Special Exception Relief from Subtitle X § 901.2

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;

Grant of the waiver from the screening requirement would not conflict with the general intent and purpose of the specific requirement for screening of the parking area. Such screening is not common in the neighborhood. There is adequate existing fencing to address the intent of this provision, as it relates to potential impacts on adjacent lots.

(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

The District Department of Transportation's report indicating no objection to the application is submitted to the record at Exhibit 17.

VI. ADVISORY NEIGHBORHOOD COMMISSION

As of the date of this report, comments from the ANC had not been added to the record.

VII. COMMUNITY COMMENTS TO DATE

Neighborhood comments have not been submitted to the record to date.

Location Map

