

**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** Stephen J. Mordfin, Development Review Specialist  
*JL* Joel Lawson, Associate Director Development Review  
**DATE:** December 9, 2022

**SUBJECT:** BZA Case 20829, 945 52<sup>nd</sup> Street, N.E. to permit the construction of a new residential development

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- Subtitle U § 421, pursuant to Subtitle U § 421, to permit a new residential development;

**1. LOCATION AND SITE DESCRIPTION**

Address	945 52 <sup>nd</sup> Street, N.E.
Applicant	JAG REAL ESTATE LLC
Legal Description	Square 5199, Lot 803
Ward, ANC	Ward 7, ANC 7C
Zone	RA-1, new multi-family development permittee by special exception
Lot Characteristics	Rectangular lot with rear alley access
Existing Development	undeveloped
Adjacent Properties	North and South: Low-rise apartment buildings East and West: Across 52 <sup>nd</sup> Street, semi-detached dwellings
Surrounding Neighborhood Character	Mixture of housing, including detached and semi-detached one-family housing and low to mid-rise apartment buildings
Proposed Development	New 3-story apartment building with 12 units, including one IZ unit, 5 off-street parking spaces accessible from the public alley and a green roof.

**2. ZONING REQUIREMENTS and RELIEF REQUESTED**

Zone: RA-1	Regulation	Existing	Proposed	Relief
Height F § 303	40-foot max.	N/A	36 feet, 5 inches	None Required
Lot Width	None Prescribed	50 feet	50 feet	None Required
Lot Area	None Prescribed	6,250 sq.ft.	6,250 sq.ft.	None Required

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<b>Zone: RA-1</b>	<b>Regulation</b>	<b>Existing</b>	<b>Proposed</b>	<b>Relief</b>
Floor Area Ratio	.90 max. 1.08 w/IZ	N/A	1.05 w/max.	None Required
Lot Occupancy F § 304	40 % max.	N/A	39%	None Required
Rear Yard F § 305	20 foot min.	N/A	34 feet	None Required
Side Yard F 306	9.1 foot min.	N/A	North: 9 ft., 5.5 in. South: 10 ft. 1.5 in.	None Required
Parking C § 701	1 per 4 units or 3 spaces	None	5 spaces	None Required

**3. OFFICE OF PLANNING ANALYSIS**

**i. 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.*

The subject application is for a new 12-unit apartment building within the RA-1 zone and therefore subject to the provisions of 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 DC Public Schools serving the subject property are Burville Elementary School, Kelly Miller Middle School and H.D. Woodson High School. (dcpublicschoolreportcard.dc.gov). As a twelve-unit building consisting of eight two-bedroom and 4 four one-bedroom units, the number of students expected to live within the building is expected to be minimal. Therefore, the public schools serving the subject property should be adequate.

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

The subject property has direct access to an improved street, 52<sup>nd</sup> Street, N.E. and an improved public alley to the rear. It is also located approximately one-half mile from Marvin Gaye Park, a public park improved with many facilities, including a playground, a bicycle trail and benches.

**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.*

The proposed development is in conformance with the provisions of the Zoning Regulations, ensuring the provision of light and air, adequate off-street parking, including bicycle parking, and landscaping. The site is located within close proximity to public parks and the one building proposed by this application would be situated on the lot in a manner similar to others along the street. Therefore, OP finds that the proposed building and its relationship to the surrounding community to be acceptable.

**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 submitted a site plan, typical floor plans, elevations, a landscaping plan, and existing and final grading plans. No new rights-of-way or easements are proposed.

**ii. Is the special exception in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps?**

The proposed three-story apartment building would be similar to other existing apartment building developments for height and bulk within the surrounding neighborhood, including existing adjacent low-rise apartment buildings to the north and south along 52<sup>nd</sup> Street.

**iii. Would the special exception appear to tend to affect adversely, the use of neighboring property?**

The requested special exception would not appear to affect adversely the use of neighboring properties. The applicant proposes the construction of a three-story apartment building, similar to the ones located to the north and south of the subject property and throughout the neighborhood.

**4. OTHER DISTRICT AGENCIES**

DDOT, in a memorandum dated December 1, 2022, stated no objection to the application. (Exhibit 19). No other comments from District agencies were submitted to the record as of the date of the filing of this report.

**5. ADVISORY NEIGHBORHOOD COMMISSION**

No comments from ANC 7C were submitted to the record as of the date of filing of this report.

**6. COMMUNITY COMMENTS TO DATE**

No community comments were submitted to the record as of the date of the filing of this report.

Attachment: Location Map

