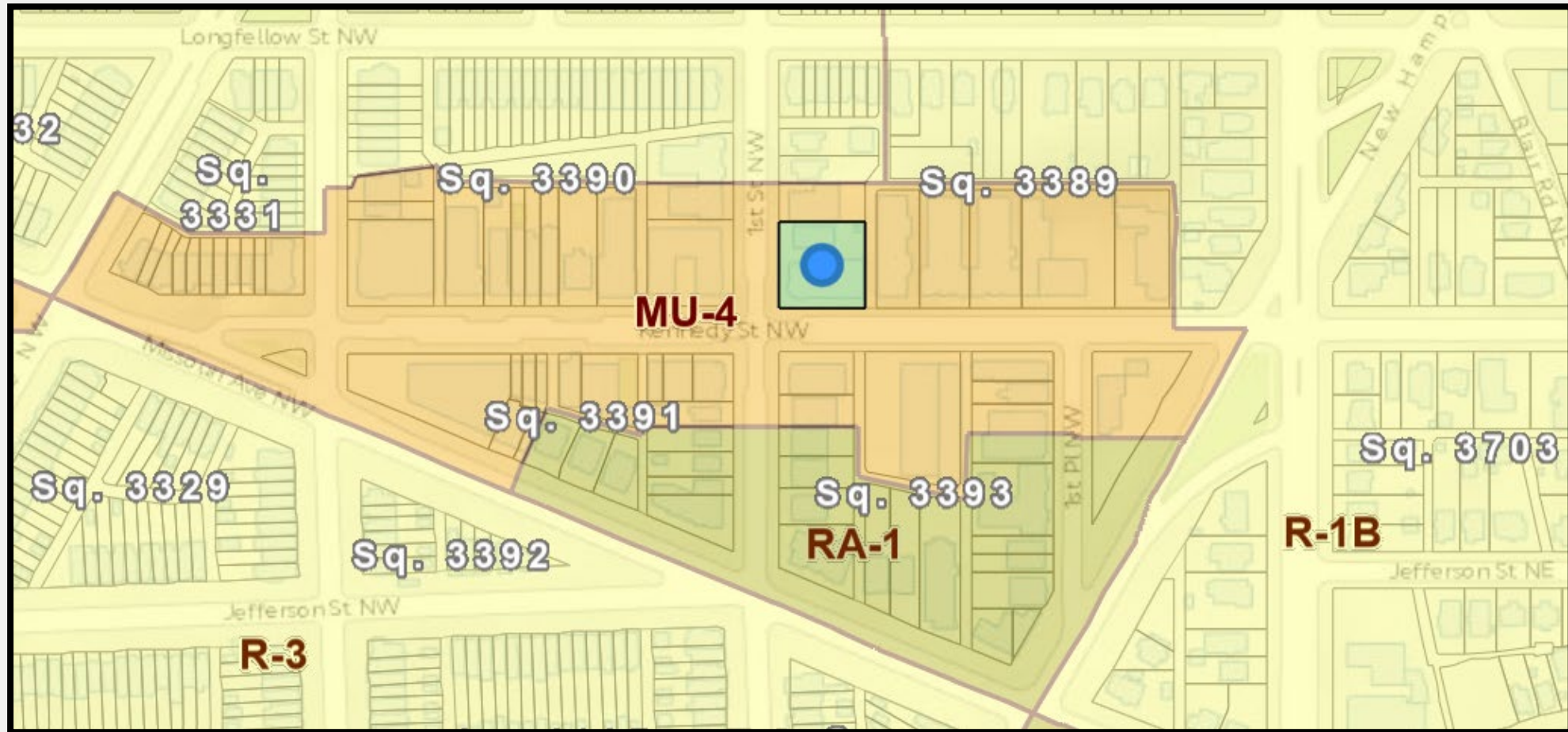


BZA Case 21103
71 Kennedy Street NW

Applicant: Developer RE1, LLC

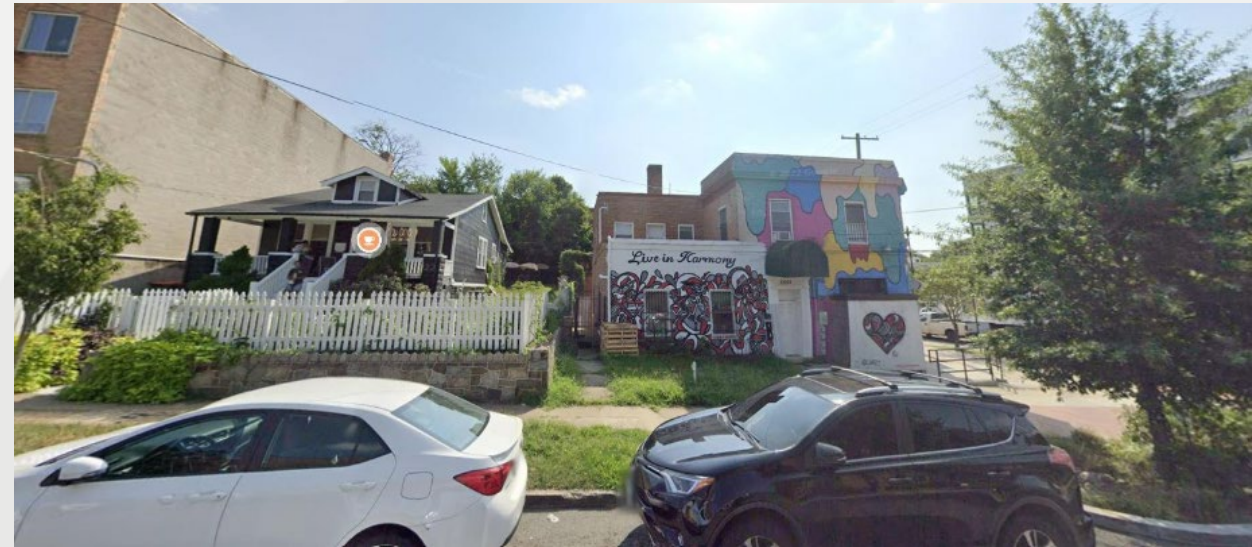
Zoning Map – MU-4



Existing Conditions



Kennedy Street NW



1st Street NW

Project History

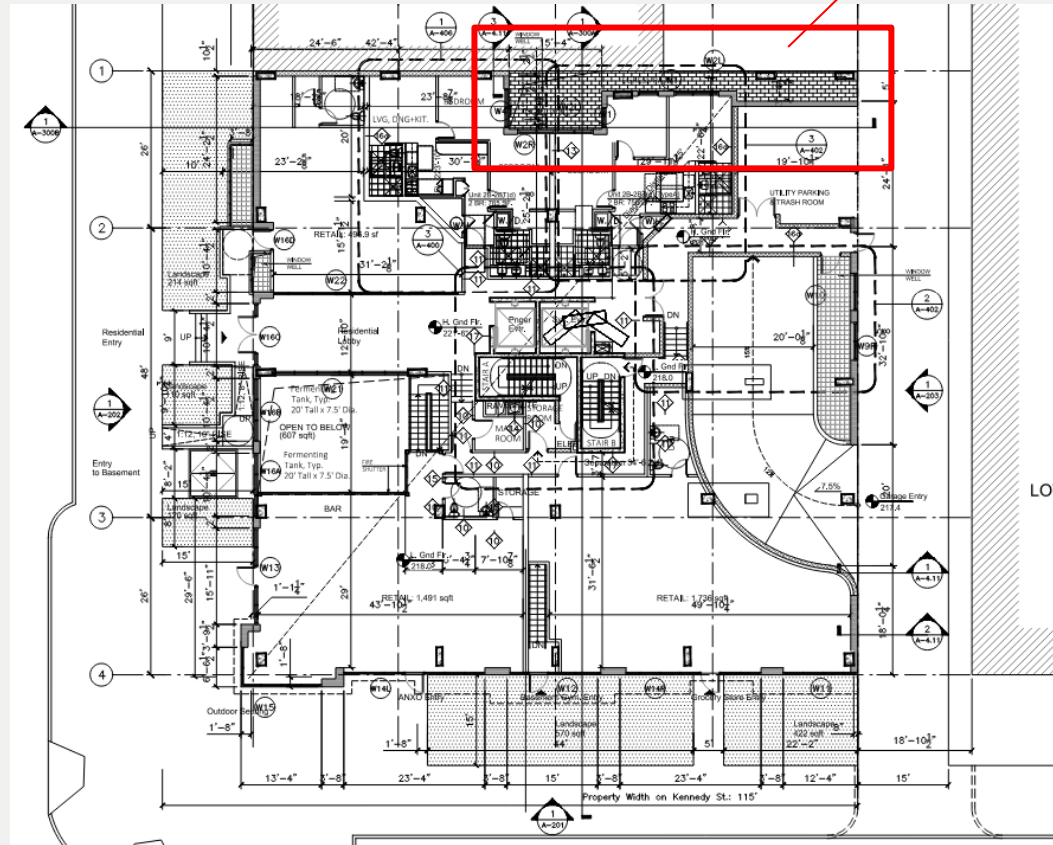
- October 2018 – BZA Case 19897 filed
- February 2019 – BZA Case 19897 approved (with ANC 4B support)
- March 2023 – Order expires (two COVID extensions)
- August 2023 – Applicant (without counsel) files modification under BZA Case 19897C
- September 2023 – Applicant presents to ANC 4B's housing justice committee and ANC 4B's regular, public meeting
- October 2023 – ANC 4B adopts resolution in support of modified project
- December 2023 – Board dismisses modification b/c Order not vested
- January 2024 – BZA Case 21103 filed with same project

Current Proposal

- Raze existing buildings and construct 4-story, 47-unit residential building
 - 30 1BR's and 17 2BR's
 - 17 parking spaces in below-grade parking level
 - Inclusionary Zoning compliance
 - Grade and pave "paper alley" along eastern side of property for access to parking/loading area
- Consistent with MU-4 development standards (except for closed court/rear yard relief)
 - 48.5 feet building height (50 feet permitted)
 - 2.86 FAR (3.0 permitted)
 - 74.6% lot occupancy (75% permitted)

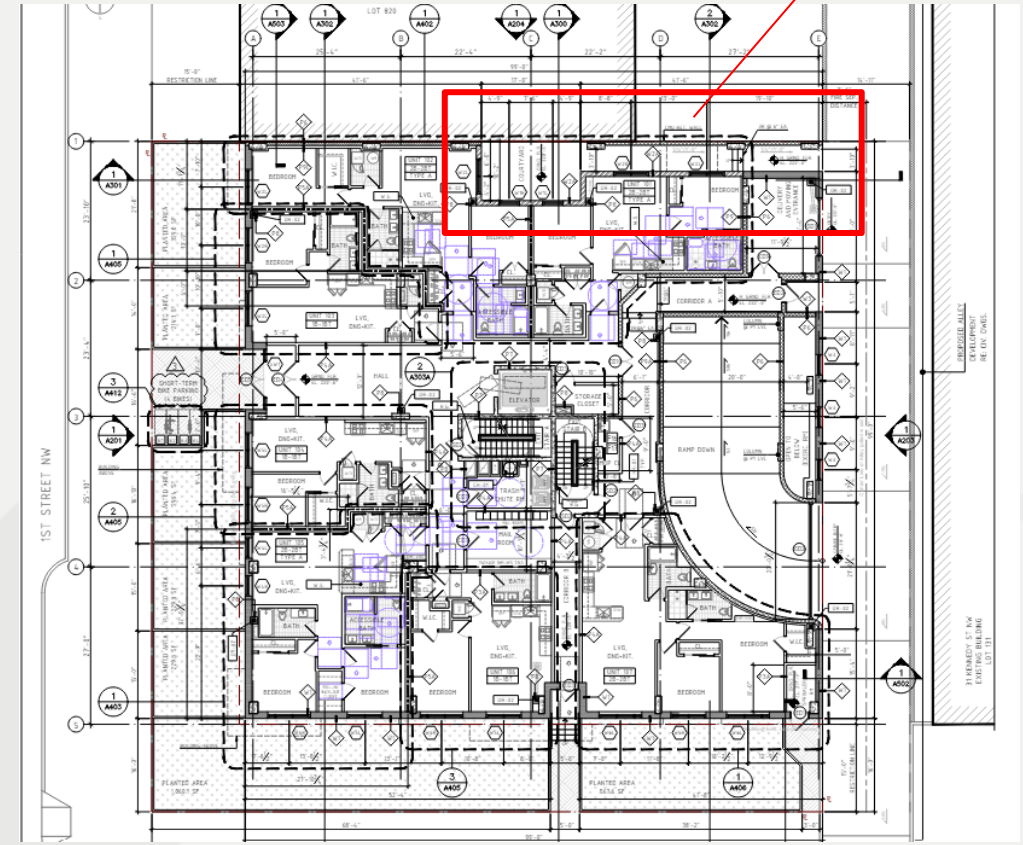
Same Areas of Relief as Prior Approval

Closed Court



Prior Approval – Ground Level

Closed Court



Current Proposal – Ground Level

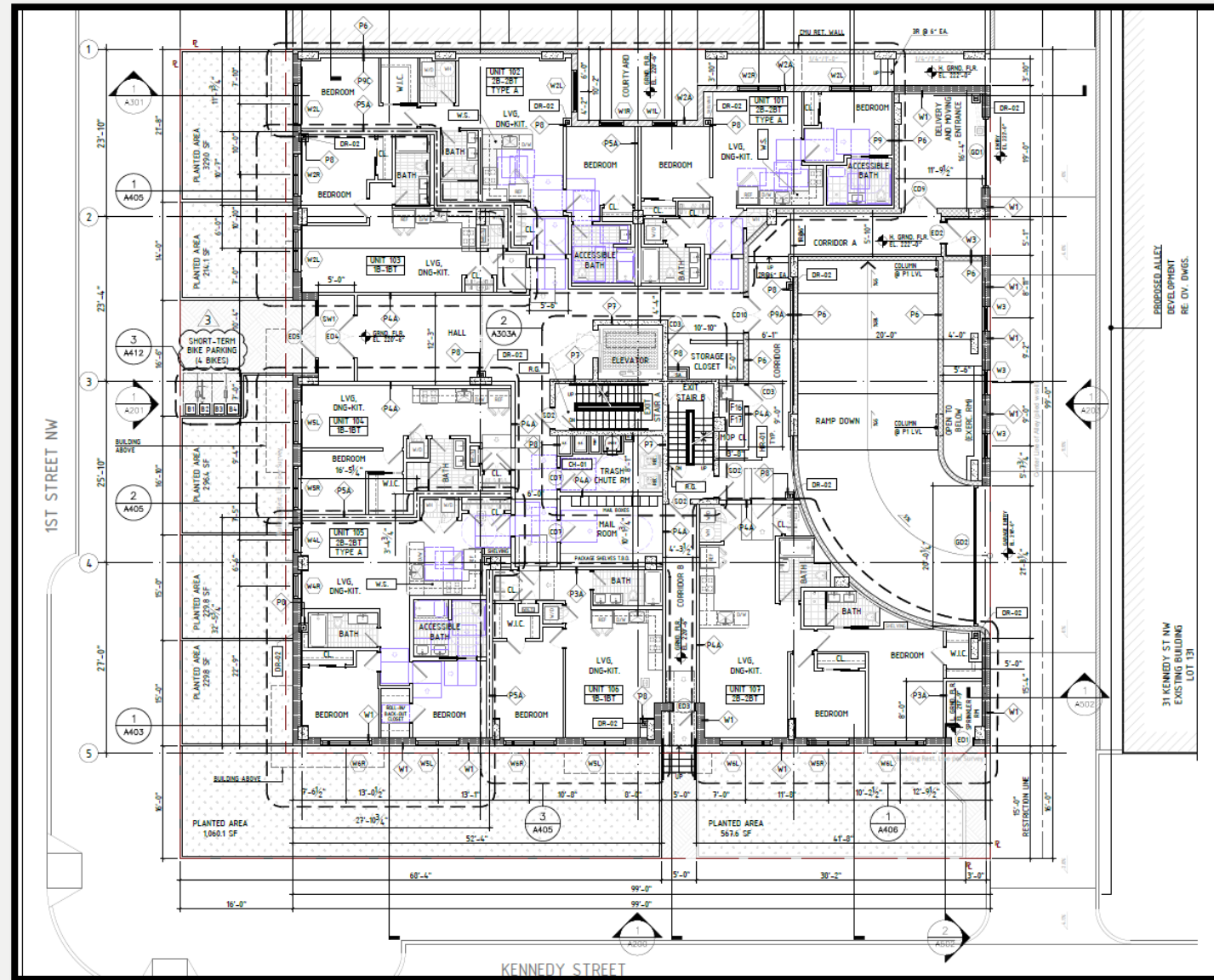
Material Changes from Prior Approval

- Use
 - Prior approval – 46 units with ~4,000 sq. ft. of ground-level commercial
 - Current Proposal – 47 units with no commercial space
- Parking
 - Prior approval – 22 spaces on 2 below-grade levels
 - Current Proposal – 17 spaces on 1 below-grade level (still meets 14 space requirement)

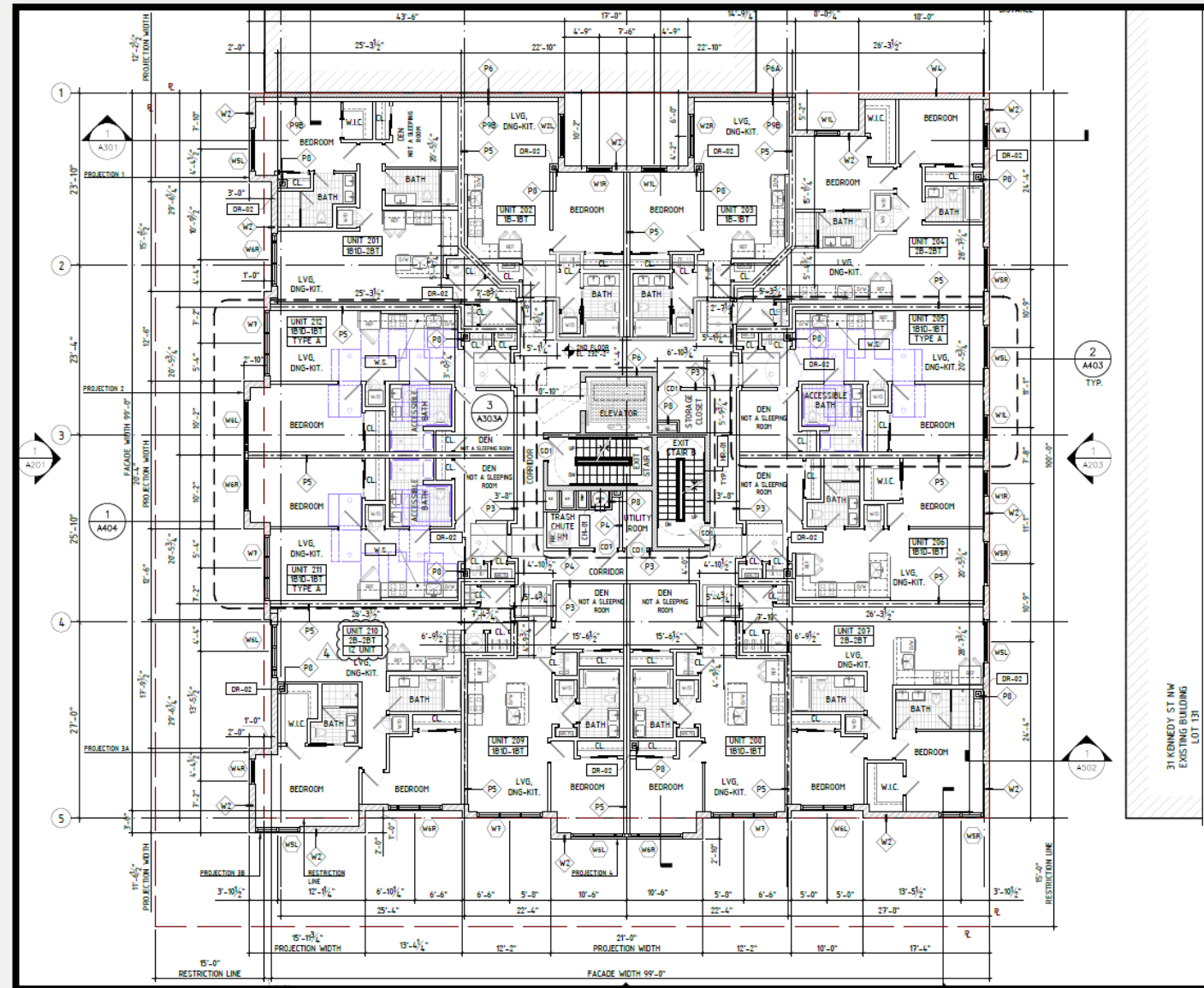
Community/Agency Outreach

- ANC 4B – Support (Ex. 15)
 - Chair Brooks authorized filing of resolution for BZA Case 19897C
- Office of Planning – Support (Ex. 58)
- DDOT – No Objection (Ex. 59)
- Letters of Opposition
 - Primary issue is lack of commercial space in current proposal

Site Plan/Ground Level



Second-Fourth Level

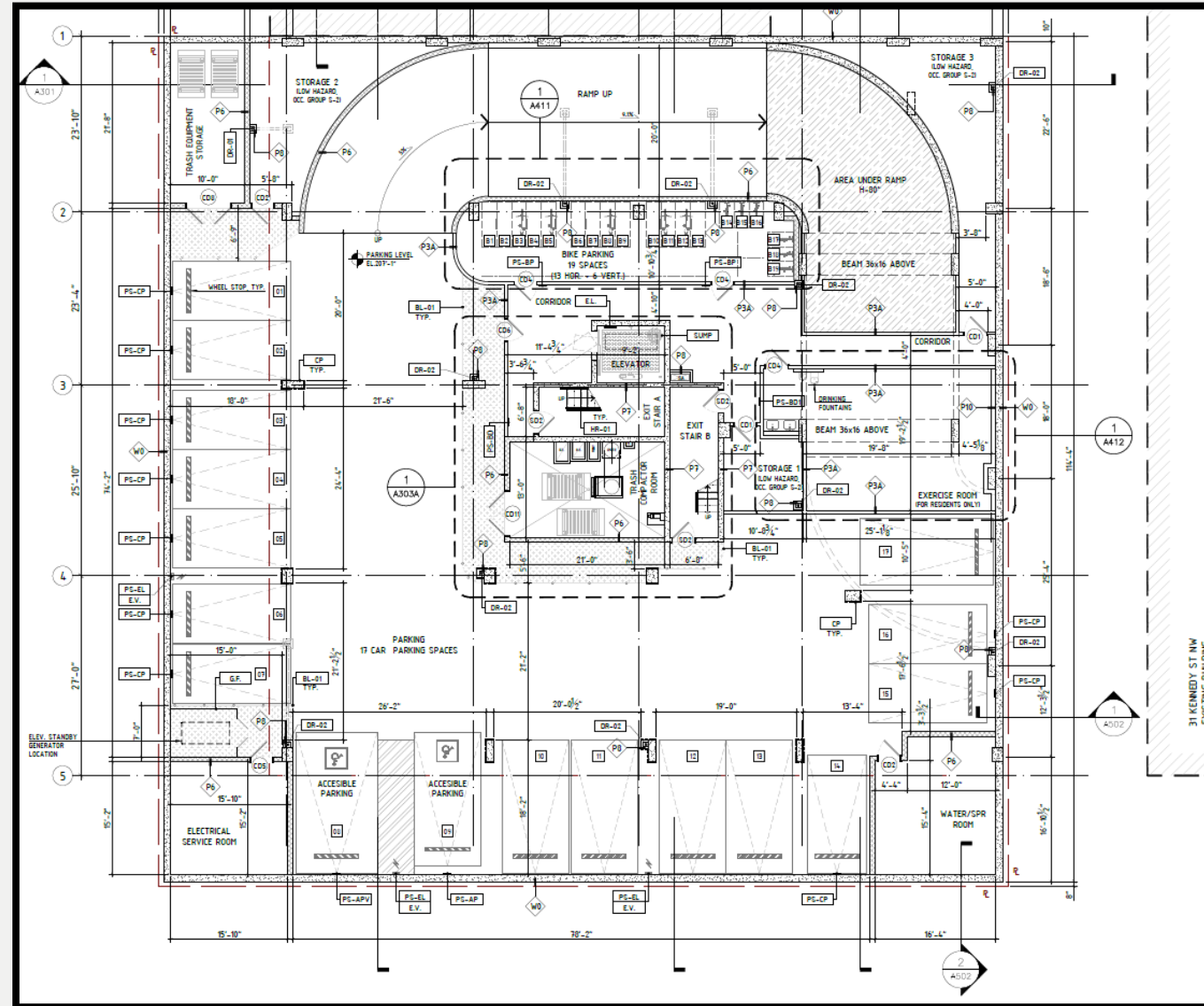




COZEN
O'CONNOR

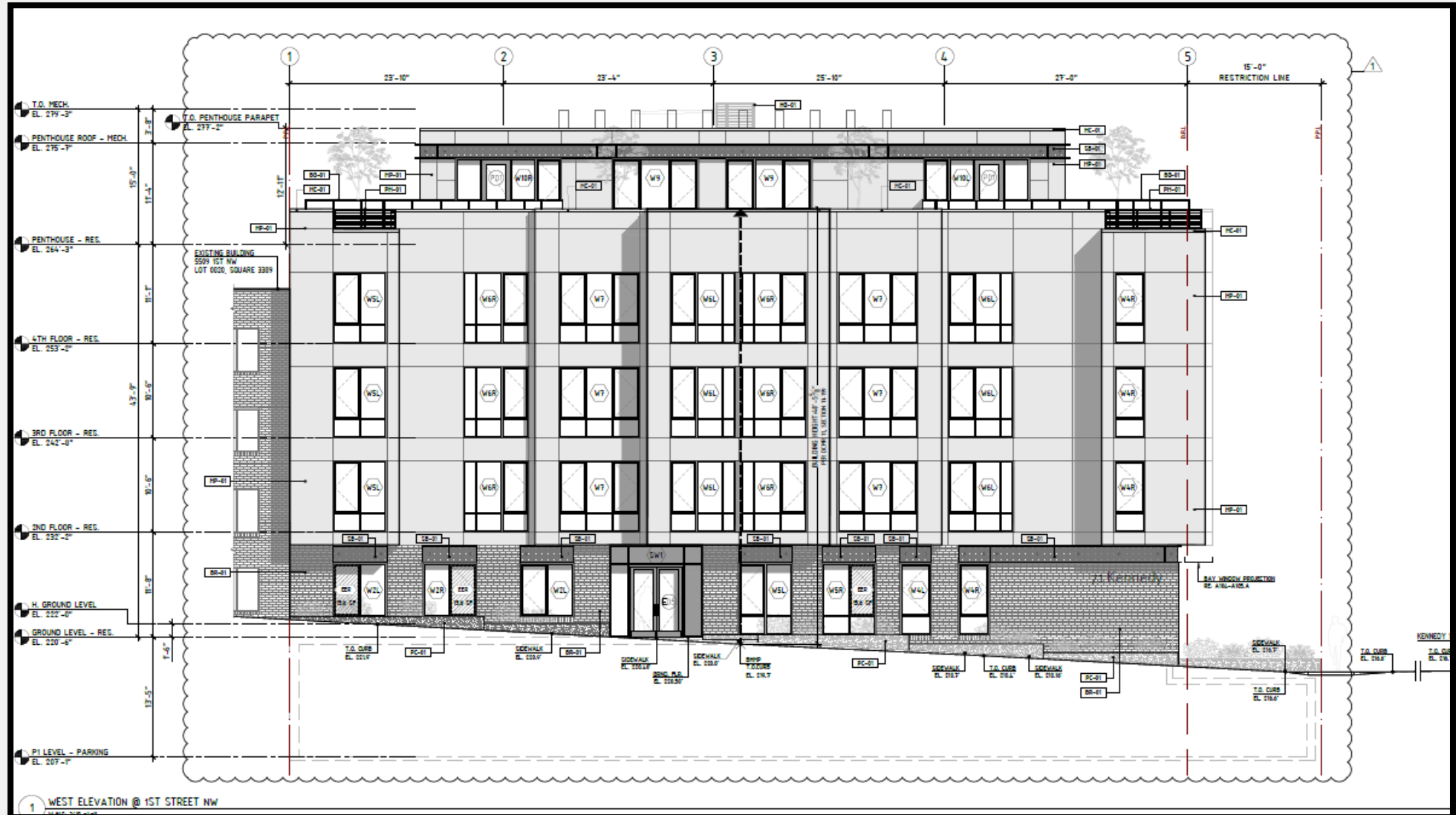


Parking Level

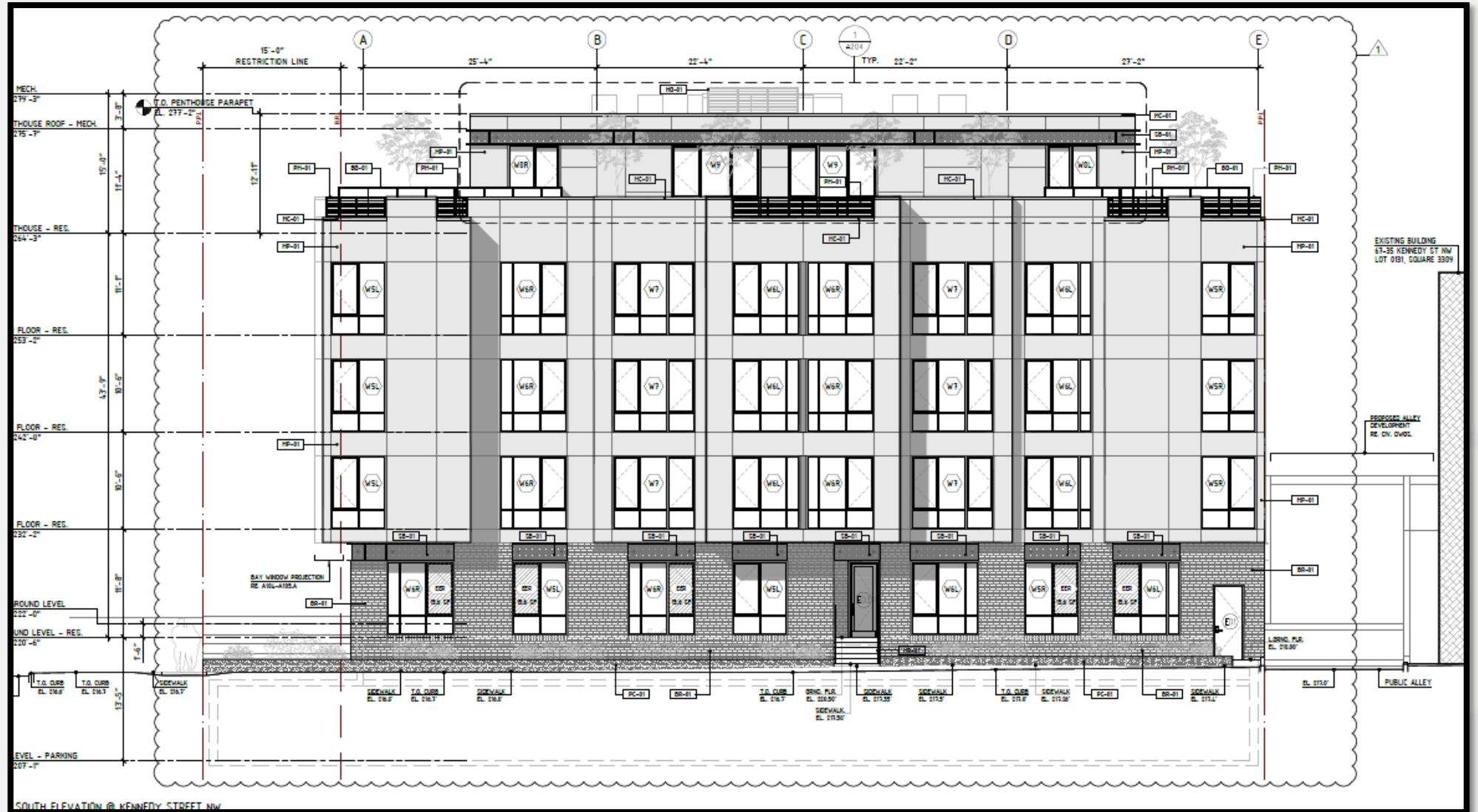


31 KENNEDY ST NW
EXISTING BUILDING

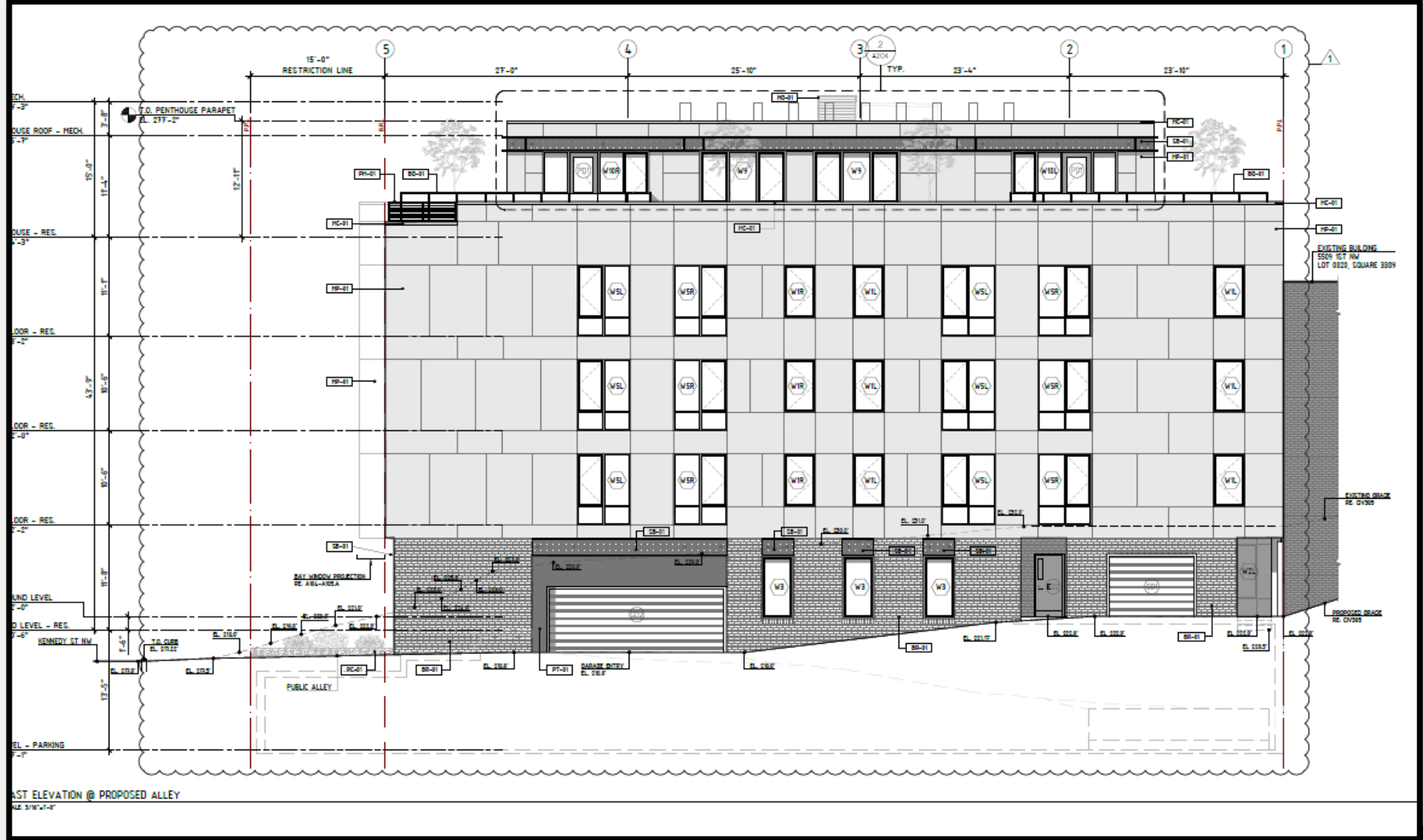
West Elevation (1st Street NW)



South Elevation (Kennedy Street NW)



East Elevation (Alley)



North Elevation



Special Exception Relief

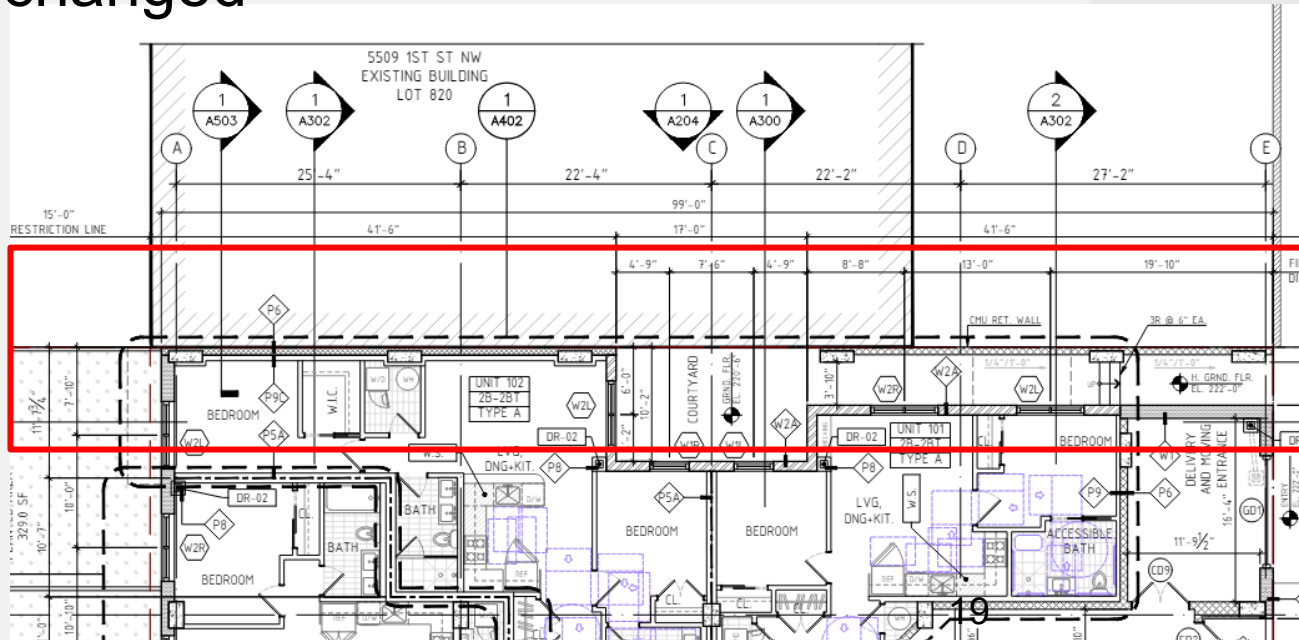
- Closed Court (Subtitle G § 209.1)
 - Required – 16.16 ft. width and 350 sq. ft.
 - First court – 10'2" x 17' and 173 sq. ft.
 - Second court – 5'2" x 8'8" and 45 sq. ft.
- Rear Yard (Subtitle G § 207.6)
 - Required – 15 feet
 - None provided (northern lot line)

Harmonious with Purpose and Intent of Regulations

- Consistent with intent of MU-4 zone for moderate-density housing with access to main roadways
- Increases housing stock with 47 new dwelling units, including affordable units
- Situated in area with other moderately-scaled buildings
- OP support

No Adverse Effects to Neighboring Properties

- Proposed height, FAR and lot occupancy consistent with MU-4 standards
- Closed courts provide light and air to interior units on northern side of Project are sufficiently sized to
- Rear lot line and courts abut window-less brick wall of adjoining residential building
- 15-foot alley buffers apartment to the east
- Board found no adverse impact in case 19897 and conditions have not changed



Special Conditions For Rear Yard (Subtitle G § 1201.1)

- a) *No apartment window shall be located within forty feet (40 ft.) directly in front of another building;;*
 - No windows on the side of the residential building abutting the rear property line
- b) *No office window shall be located within thirty feet (30 ft.) directly in front of another office window, nor eighteen feet (18 ft.) in front of a blank wall; and*
 - Project is residential, no office windows are proposed
- c) *In buildings that are not parallel to the adjacent buildings, the angle of sight lines and the distance of penetration of sight lines into habitable rooms shall be considered in determining distances between windows and appropriate yards;*
 - Project is parallel to adjacent buildings along Kennedy Street NW with no rear-facing windows.
 - Project has been carefully designed to limit sight lines between habitable rooms on Property and neighboring buildings

Special Conditions For Rear Yard (Subtitle G § 1201.1)

- d) *Provision shall be included for service functions, including parking and loading access and adequate loading areas; and*
- 17 proposed parking spaces below grade where 14 are required
 - Sufficient loading area with access from alley
- e) *Upon receiving an application to waive rear yard requirements in the subject zone, the Board of Zoning Adjustment shall submit the application to the Office of Planning for coordination, review, report, and impact assessment, along with reviews in writing from all relevant District of Columbia departments and agencies, including the Department of Transportation, the District of Columbia Housing Authority and, if a historic district or historic landmark is involved, the Historic Preservation Office.*
- OZ will refer application to necessary agencies
 - Property is not located in a historic district, nor is a landmark involved

Addressing Community Comments

- Community Comments – Desire for mixed-use and three-bedroom units
- Scope of special exception review = whether conditions have been met
 - Limited to closed court and rear yard relief standard
 - No requirement for commercial space or three bedrooms
- Project is generally consistent with MU-4 zoning
- Community Meeting with Councilmember George and ANC Chair Brooks on March 28, 2024
 - Discussed scope of current BZA case and Applicant's rationale for all-residential building

DDOT Condition – Ex. 59

- Applicant will work with DDOT on a Horizontal Public Use Agreement outlining the process for design review, construction, inspection, and acceptance of the alley

Questions?