



**MEMORANDUM**

**TO:** District of Columbia Board of Zoning Adjustment  
**FROM:** *JL* Karen Thomas, Case Manager  
 Joel Lawson, Associate Director Development Review  
**DATE:** January 16, 2015  
**SUBJECT:** BZA Case 18902, 2620 Bowen Road, S.E.

**I. OFFICE OF PLANNING RECOMMENDATION**

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

- **Special exception relief** from § 353 to permit a new apartment building in the R-5-A District subject to provision of the GAR score for the proposed development; and  
**Variance relief** from the following requirements:
  - § 402 - FAR (0.9 maximum permitted, 1.25 FAR proposed); and
  - § 2101 – Parking (41 spaces required, 20 spaces proposed); subject to the provision of:
    - secured on-site bike parking racks; and
    - installation of an information screen for real-time transportation arrivals in the lobby of the building.

**II. LOCATION AND SITE DESCRIPTION**

Address	2620 Bowen Road, S.E.
Legal Description	Square 5869, Lot 0083
Ward/ANC	8/ANC 8A
Lot Characteristics	The property is a triangular shaped with variable grade changes. The topography of the site inclines upward along Bowen Road.
Zoning	The subject property and the surrounding area are in the R-5-A district, which permits new development through the special exception process.
Existing Development	The lot is a vacant undeveloped lot. <i>The proposed development was previously approved by the Board in Summary Order 17550 (January 16, 2007).</i>
Adjacent Properties	The lot is bounded by undeveloped property and apartments on the west, Howard Hills apartments to the east, and the Oxford Manor Apartments to the south across Bowen Road.



Surrounding Neighborhood Character	The surrounding neighborhood is a mix of low to moderate density apartment homes and single-family dwellings in the Anacostia Neighborhood.
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**III. APPLICATION-IN-BRIEF**

Proposal	The application by Frost LaBule, LLC (Applicant) requests, pursuant to 11 DCMR Section 353.1, special exception review to construct a 3-story, 41-unit apartment building, with a partially below-grade garage for 20 vehicles. The rental units would be made affordable for residents at 55% AMI. Variances are requested from Section 402.2, FAR, to exceed the maximum FAR and from Section 2101.1, Parking, to reduce the number of parking spaces, as discussed below.
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**IV. ZONING REQUIREMENTS and RELIEF REQUESTED**

R-5-A Zone	Regulation	Existing	Proposed	Relief
Height § 400	40 ft. max.	Undeveloped Lot	30.66 ft.	None required
Lot Area § 401	None prescribed	<b>27,201 sf.</b>	27,201 sf.	None required
FAR § 402	0.9 (1.08 IZ)	<b>undeveloped</b>	1.25 (All IZ at 55% AMI)	<b>Relief required</b>
Lot Occupancy § 403	40 % max.	“	39.8 %	None required
Rear Yard § 404	20 ft. min.	“	20 ft.	None required
Side Yard § 405	8 ft. min.	“	8 ft.	None required
Parking § 2101	1 space per unit 41 spaces required	“	20 spaces	<b>Relief required</b>
GAR § 3401	0.40	<b>1.0</b>	No info.	<b>Not requested</b>

**V. OP ANALYSIS**

As shown above, the proposed FAR would be in excess of 0.9 FAR limit and the required number of vehicle parking spaces would be reduced from 41 spaces to 20 spaces.

**a. Special Exception Relief pursuant to § 353 (New Residential Developments (R-5-A))**

New residential development within the R-5-A districts is reviewed by the Board pursuant to § 353 as follows:

*353.1 In R-5-A Districts, 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 § 3104.*

The property is proposed for a new multi-unit apartment building in the R-5-A district.

353.2 *The Board shall refer the application to the D.C. Board of Education for comment and recommendation as to the adequacy of existing and planned area schools to accommodate the numbers of students that can be expected to reside in the project.*

The application was forwarded to the DC State Board of Education (DCSBOE) as required and shown as Exhibit #18 of the record. OP does not anticipate a number of families with school-aged children as the primary residents in this building, since 36 of the 41 units (88%) would be one-bedroom units and only 2 (5%) would be three -bedroom units.

353.3 *The Board shall refer the application to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation as to the adequacy of public streets, recreation, and other services to accommodate the residents of the project and the relationship of the proposed project to public plans and projects.*

The Board's referral to District Department of Transportation's (DDOT) is noted as Exhibit #17 of the record. The applicant has worked with DDOT to review their proposal and provided information on parking availability, trip generation, service vehicle access, bike storage and proposed transportation demand management measures. DDOT's report would be submitted under separate cover to the record.

The proposal would provide up to half of the number of required on-site parking spaces in a partially below-grade garage. Twenty bike spaces would also be provided in the secured garage to promote alternative transportation. The Anacostia Metro Station and major bus routes that traverse Martin Luther King Avenue and Howard Road are within walking distance from the proposed apartment building.

The D.C. Department of Housing and Community Development's (DHCD) referral from the Board is noted as Exhibit #17 of the record. The applicant has stated that the agency is conditionally committed to provide funding for construction and allocation of Low Income Housing Tax Credits (LIHTC). The rental units would be available to future residents at 55% AMI. Comments from DHCD were not included in the record at the writing of this report.

353.4 *The Board shall refer the application to the D.C. 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 future residents of the project and the surrounding neighborhood. In addition to other filing requirements, the developer shall submit to the Board with the application, four (4) site plans and two (2) sets of typical floor plans and elevations, grading plans (existing and final), landscaping plans, and plans for all new rights-of-way and easements.*

The proposed site plan attempts to respond to the site's existing topographic challenges and irregular shape. The topography of the site inclines upward along Bowen Road and tips towards the west and north. Parking would be accessed via a curb cut and driveway from Bowen Road. Re-grading of the site is minimized by siting the building, so as to retain as much of the existing grade as possible. Twenty (20) of the required 41 parking spaces would be provided due to the extensive excavation that would be necessary to provide the required number. This could make the project cost prohibitive and may require a more extensive retaining wall system for the site. Twenty (20) bike parking spaces would be provided in the garage. An information lobby screen with train and bus arrival times of the nearby Anacostia

Metrorail station and Metrobuses on the various routes would be included to facilitate the use of alternative transportation modes. The location of the site is almost equidistant to the Anacostia Park and Fort Dupont Park for recreational purposes. A common use area for use by future residents is shown on the first floor.

As previously noted, the shape of the site created a design challenge with a double loaded corridor, and a single-loaded corridor, as shown was the best outcome to provide entrances, as well as light and air to the units. The development should not have an impact on adjacent residences regarding light and air. The adjacent apartment buildings to the east and south are separated by distances of over 100 feet, in addition to changes in grade and landscaped areas. The buildings to the west are also separated by changes in grade and vegetation.

At OP's request the applicant recently updated its site plan to include a landscape plan to satisfy the GAR standards under § 3400 of the Regulations, although at this time the score has not been provided to OP. OP requested that the applicant provide the additional information at the hearing.

No new rights-of-way or easements will be created as part of the proposed development.

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

The proposal is in harmony with the general purpose and intent of the Zoning Regulations. This development was previously approved by the Board in Summary Order 17550 (January 16, 2007) and no major changes were made to the previously approved plans.

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

The apartment building would be compatible with the scale and height of other apartment buildings in the area and would provide forty-one (41) affordable rental units, including thirty-six (36) one-bedroom units, three (3) two-bedroom units and two (2) three-bedroom units to residents at 55% AMI. The proposed development would not adversely impact the use of neighboring property with respect to light and air as it would be well separated from the closest apartment building to the east by at least 100 feet. Privacy of the apartment to the east would not be adversely affected it is located at a higher elevation than the proposed apartment building.

**b. Variance Relief from §§ 402.4 and 2101.1 (FAR and Off-Street Parking)**

**i. Exceptional Situation Resulting in a Practical Difficulty**

The irregularly shaped property is encumbered by a variable topography. The square ascends from the intersection at Sheridan Road and the property rises 30 feet above that intersection. Along Bowen Road the property is at an 8.5% gradient and the east boundary line inclines upward to an elevation of 24 feet above Bowen Road. The property lacks a consistent expanse of level ground. These facts in combination create a practical difficulty in developing the lot within the limits of the Zoning Regulations.

The shape of the lot is reflected in the proposed building's shape and the odd angle created where the two wings of the building are joined, allows for only a single-loaded corridor. Oddly-shaped common spaces in such a building would contribute to the overall inefficiency of the building. The core factor of the building is 23.8%, when a typical conforming building would be somewhat less than this.

Excavation beyond that proposed would add to the site's instability and may contribute to destabilizing the retaining walls on the abutting property. In limiting the site's excavation, a portion of the garage would extend above grade and would be included in the building's overall FAR. The garage contributes up to 1,518 square feet towards the FAR, as 20% of the garage perimeter is more than four feet above the adjacent finished grade (around the garage entry)<sup>1</sup>. In addition, only twenty (20) parking spaces could be reasonably provided on the lot without undue site disturbance.

**ii. No Substantial Detriment to the Public Good**

The proposed development would increase the number of new and improved affordable rental units in the District. The increase in FAR would help to preserve some of the natural topography of the site, while providing up to half of the required on-site parking spaces. The applicant supplemented the record (Exhibit #26, 1/15/2015) regarding the vehicle ownership in the area, as well as additional information for on-street parking availability in the immediate neighborhood. The reduction is also consistent with the relatively low rate of vehicle ownership (<40%) in the census tract in which the subject property is located.

The neighborhood is served by several Metrobus routes along nearby corridors and is within a mile of the Anacostia Metro Station. Use of alternative transportation modes would be encouraged with the proposed secure bike parking within the building and installation of a real-time information screen for Metrobus and rail.

**iii. No Substantial Harm to the Zoning Regulations**

The proposal is consistent with the requirements for developments in the R-5-A district as demonstrated above. The apartment building is compatible with scale and height of other apartment buildings in the area and would provide much needed affordable rental housing for District residents. The increase in FAR would help preserve some of the natural topography of the site and should satisfy the required FAR for new development in the R-5-A District.

**VI. COMMENTS OF OTHER DISTRICT AGENCIES**

DDOT's report would be submitted under separate cover.

**VII. COMMUNITY COMMENTS**

The applicant informed OP via telephone on January 12, 2015 that a meeting was held with the Single Member Commissioner prior to filing of the proposal to the Board. The applicant also met

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<sup>1</sup> Based on the perimeter method of calculation

with the ANC 8 at its regularly scheduled meeting in January, 2015. However, according to the applicant a vote was not taken and the matter would be discussed at the ANC's February, 2015 meeting.

Attachment: Location Map and Landscape Plan

