

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
JL Joel Lawson, Associate Director Development Review
DATE: July 12, 2016

SUBJECT: BZA Case 19316 (1904 Irving Street, N.E.) for a special exception to allow the construction of a new apartment house in the R-5-A District.

I. OFFICE OF PLANNING RECOMMENDATION

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

- § 353.1, New Residential Development in R-5-A

OP does not support the building design as currently proposed, and has had several discussions with the applicant regarding modifications that should be made to the building elevations of the proposed apartment house, which are essential to maintaining the existing neighborhood character. The applicant has indicated that revised building elevations would be submitted to the record, but has failed to submit them in a timely manner. Should the applicant provide elevations responding to concerns noted in this report, OP could reconsider the recommendation.

II. LOCATION AND SITE DESCRIPTION

Address	1904 Irving Street, N.E.
Applicant:	Toye Bello for Dilan Investment, LLC
Legal Description	Square 4207, Lot 15
Ward / ANC	Ward 5; ANC 5C
Zone	R-5-A
Historic District or Resource	Not Applicable
Lot Characteristics	The rectangular lot is 8,603 square feet in area, with 50 feet of frontage along Irving Street. The rear of the lot is approximately 50 feet wide, abuts a 15 foot wide public alley.
Existing Development	The lot is currently developed as a detached dwelling.
Adjacent Properties	To the north of the site are existing detached dwellings; to the south is an existing gas station, detached dwellings, and apartment houses; to the east are existing detached dwellings; and to the west are existing apartment houses and a detached dwelling.

Surrounding Neighborhood Character	The surrounding neighborhood character is predominantly residential, consisting of detached dwellings and apartment houses, consistent with the current R-5-A District. Neighborhood-serving commercial uses are present south of Irving Street, along Rhode Island Avenue.
Proposed Development	The proposed development consists of the demolition of the existing detached dwelling, and replacing it with a new 12 unit apartment house. Twelve parking spaces would be provided, accessible from the public alley, and a trash enclosure would be located in the rear yard.

III. ZONING REQUIREMENTS and RELIEF REQUESTED

Zone – R-5-A	Regulation	Proposed	Relief
Height § 400	40 ft. max.	28.5 ft.	None required
Lot Width § 401	None prescribed	50 ft.	None required
Lot Area § 401	None prescribed	8,603 sq. ft.	None required
Floor Area Ratio § 402	0.9	0.9	None required
Lot Occupancy § 403	40% max.	30%	None required
Rear Yard § 404	20 ft. min.	82 ft.	None required
Side Yard § 405	8 ft. min.	8 ft.	None required
Court § 406	None required	None provided	None required
Parking § 2101	1 space per 2 dwelling units (6 spaces)	12 spaces	None required

IV. OFFICE OF PLANNING ANALYSIS

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

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 in accordance with the standards and requirements in this section.

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 referred to the D.C. Board of Education for comment and recommendation, although, no comments were received.

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 application was referred to the D.C. Departments of Transportation and Housing and Community Development for comment and recommendation. DHCD responded with no comments (Exhibit 29), and it is anticipated that DDOT will file a report under separate cover.

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.

The site plan for the proposed apartment house complies with all development requirements. Sufficient setbacks have been provided from the rear and sides, ensuring the provision of light and air to neighboring properties. The proposed lot occupancy is 10% less than what is required by the regulations, allowing for more open space on the lot. While only six parking spaces are required, the applicant has provided a total of 12 so that each unit has one off-street parking space. The applicant has indicated that a trash enclosure will be provided in the rear yard area, and that appropriate measures will be undertaken to ensure that it is used appropriately and picked up regularly. However, the applicant should provide a revised site plan identifying the location of the trash enclosure.

The proposed development is arranged similarly to existing apartment houses on the same block, where the face of the building is set back from the street a distance similar to the existing detached dwellings, and parking is provided at the rear, accessible from the public alley. The applicant has indicated that parking spaces would comply with dimensional requirements, and a compliant driveway has been provided.

Limited open space has been provided on the lot, as the parking spaces consume most of the rear yard area and the front yard would have a narrow depth of 8.86 feet. Where possible, the applicant has incorporated landscape, including in the front yard and along the sides. While landscape cannot be provided in the rear without compromising parking spaces, the applicant has indicated that the parking spaces would have a pervious surface. A Green Area Ratio (GAR) calculation sheet has been provided, which indicates that the applicant would comply with this requirement. Recreation opportunities would be available a short distance from the proposed development, as the site is located 0.13 miles from Langdon Park, a large neighborhood park featuring a Community Center, pool, athletic fields, skate bowl, basketball courts, and dog park.

OP has discussed modifications to the facades of the proposed apartment house, and the applicant has failed to respond to requests for additional information in a timely manner. Specifically, OP has requested revised elevations that use higher quality building materials, such as brick, in place of siding or EIFS, the latter of which has been proposed on the front elevation design elements. OP has also requested additional articulation around windows and doors to add depth to the otherwise flat elevations, and a cornice that wraps around the top of the building. It is unclear from the renderings what building materials are intended to be used on the side elevations, so better elevations should be provided.

353.5 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 applicant has submitted site plans, typical floor plans, elevations, grading plans, and landscaping plans into the record. Revised plans identifying the trash enclosure and revised elevations need to be entered into the record.

i. 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 and Zoning Maps. The property is zoned R-5-A, which is an apartment house zone. The use is consistent with other apartment houses located on the same block, and the pattern of development is relatively similar, as it maintains a small setback from Irving Street and provides parking at the rear of the lot.

The proposal complies with all development regulations related to bulk, location, and massing. The development would occupy less than 40% of the property, allowing for more open space, light, and air, and each unit would be provided with its own parking space. However, the applicant should improve the exterior design and materials of the building and provide revised building elevations that are consistent with the intent of § 353.

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

The proposed development does not appear to adversely affect the use of neighboring property. As noted in the analysis, the size of the development is smaller than permitted by the regulations in regard to lot occupancy and building height. As a result, the impact on light and air should be minimized, although, the applicant could provide a shadow demonstrating that the apartment house would have minimal impact on adjacent properties. The applicant has provided twice the required parking on-site, ensuring that each unit will have its own parking space. Finally, the applicant has indicated that a trash enclosure will be located in the rear yard, and will be regularly removed from the site. The applicant notes that a management company would be responsible for the maintenance and cleanliness of the site. A revised site plan identifying the location of the trash enclosure should be submitted to the record.

Based on conversations with the applicant, the exterior design of the proposed apartment house continues to be in flux. The proposed design could adversely affect the existing neighborhood character, as it does not include defining features that are common to this residential block, or to quality apartment buildings. As noted, the applicant should provide revised elevations incorporating modifications discussed with OP and in this report.

V. COMMENTS OF OTHER DISTRICT AGENCIES

As of the date of this writing, DHCD has provided an e-mail to the record noting that it has no comments. Comments from other District Agencies have not been received.

VI. COMMUNITY COMMENTS

At its regularly scheduled meeting on May 6, 2016, ANC 5C voted unanimously to recommend denial of the requested relief. A report has been filed to the record (Exhibit 34).

As of the date of this report, one neighbor has requested party status in opposition (Exhibit 28). OP has not received additional comments from the community.

Location Map

