



**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
OFFICE OF THE ZONING ADMINISTRATOR**

August 18, 2020

**Via Emailed PDF**

Adam Crain, AIA  
[adam@2plys.com](mailto:adam@2plys.com)  
43414 Mountcastle Drive  
South Riding, VA 20152

**RE: Proposed Addition & Conversion to Nine Unit Apartment House - 233 K Street NE  
20-PDRM-00117**

Dear Mr. Crain-

As per the PDRM meeting held online June 18, 2020, this is to confirm that the proposed project for the property in the MU-5A zone meets the applicable requirements of the Zoning Regulations. The "Project" is a proposed addition & conversion to nine (9) dwelling unit apartment house, with six (6) stories over a cellar, plus a penthouse. The lot size is 1,067 square feet, and is Square 0750 Lot 0101.

In summary, I have determined that the Project is permitted as a matter of right, according to the following:

**Apartment Use in the MU-5A Zone:**

The proposed project is an apartment house, which is an allowable MU-5A use under Section U-501.2/U-512.1.

**Development Standard Requirements in the MU-5A Zone:**

*Height and Stories*

Pursuant to Section G-403.1, the maximum height is 65'-0", with no limit on number of stories. The proposed structure is under 65'-0 in height and will have six (6) stories, which is compliant.

*Penthouse*

The penthouse is allowed to exceed the maximum building height, up to 12 feet for habitable penthouse space, under Section G-403.3. This project proposes a 426 sqft habitable penthouse or 0.39 FAR of a height of nine (9) feet. A maximum of 0.4 FAR can be obtained by paying into the housing fund for Penthouse Habitable space comprised of bedrooms and bathrooms, in accordance with C-1505.12 through C-1505.16. In addition, 1:1 setbacks will be provided at all sides from edge of building, so as to comply with Section C-1502.

Floor Area Ratio [FAR]

Pursuant to Table G-402.1 the maximum FAR 3.5. With a lot area of 1,067, this equates to a maximum gross floor area of 3,734 sq ft. The project proposes six levels above grade of 620 sq ft each, totaling 3,720 sq ft, or an FAR of 2.49, which is compliant. The uncovered egress stair at rear is exempt from FAR calculations. The proposed cellar level is exempt from FAR calculations as the finished level of 1<sup>st</sup> floor will be located under 5'-0" max from grade at any point on the exterior of building.

Lot Occupancy

Pursuant to Section G-404.1, the maximum footprint of the building is limited to 80% lot occupancy. With the subject lot area of 1,067 this equates to 853.6 sq ft. The proposed footprint is 792 sqft, or a lot occupancy of 74.2%, including the uncovered egress stair at rear, which is compliant.

Rear Yard

Pursuant to Section G-405.2 the minimum rear yard is 15 feet. A rear yard of 23' is proposed, which is compliant.

Side Yard

Pursuant to Section G-406.1, no side yard is required, this none is provided.

Parking

Per table C-701.5, 1 parking space is required for every 3 dwelling units in excess of 4. For the proposed nine dwelling unit building, this would result in a requirement of a minimum of 2 spaces. However, per Section C-702.1(a), 50% relief is provided if within ½ mile of a Metro rail station, and as this property is adjacent to the Union Station Metro, it qualifies for the 50% reduction. As such, only one (1) parking space is required. The project provides one (1) parking space at rear of the lot, accessed from the adjacent alley, so as to comply.

Three (3) long term bicycle spaces are provided with the rear portion of the cellar, in accordance with Section C-802.1 [The calculation is 1 space per each 3 units is required, or 3 bicycle spaces total for 9 units].

Green Area Ratio [GAR]

Under Section G-407.1, a minimum GAR of .3 is required. The project will comply with the requirement through a combination of landscaping, permeable paving, and/or green roof.

**Conclusion:**

Based on the review of the attached plans and plat, the proposed structure complies with the MU-5A zone requirements. Accordingly, the Project is permitted as a matter-of-right.

Therefore, when a building permit application for the Project is filed, my office will approve drawings that are consistent with the plans attached to this letter.

Sincerely,

*Matthew Le Grant*

Matthew Le Grant  
Zoning Administrator

Attachments:

1. Floor plan set
2. Section and FAR Analysis
3. Plat dated 3-3-20

Zoning Technician: Chyna Barber

DISCLAIMER: This letter is issued in reliance upon, and therefore limited to, the questions asked, and the documents submitted in support of the request for a determination. The determinations reached in this letter are made based on the information supplied, and the laws, regulations, and policy in effect as of the date of this letter. Changes in the applicable laws, regulations, or policy, or new information or evidence, may result in a different determination. This letter is **NOT** a "final writing", as used in Section Y-302.5 of the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations), nor a final decision of the Zoning Administrator that may be appealed under Section Y-302.1 of the Zoning Regulations, but instead is an advisory statement of how the Zoning Administrator would rule on an application if reviewed as of the date of this letter based on the information submitted for the Zoning Administrator's review. Therefore this letter does **NOT** vest an application for zoning or other DCRA approval process (including any vesting provisions established under the Zoning Regulations unless specified otherwise therein), which may only occur as part of the review of an application submitted to DCRA.