

September 20, 2023

**Via Emailed PDF**

P.T. Blooms LLC Development  
7905-C Cessna Ave.  
Gaithersburg, MD 20879  
Attn: Patrick Bloomfield  
Email: [pat@ptbloomsllc.com](mailto:pat@ptbloomsllc.com)

**Re: Request for Determination for 1836-1840 Kalorama Road, NW (Square 2553, Lot 826).**

Dear Mr. Bloomfield:

This letter confirms the PDRM you had with Gregory Garland of my staff on June 2, 2023, and his review of the plans (attached as Exhibit A), regarding your proposed project to renovate and add to the property located at 1836-1840 Kalorama Road, NW (Square 2553, Lot 826) (the “Property”). The Property is zoned RA-2 and is currently improved with two separate, adjoining portions of a single building (collectively referred to herein as the “Building”. On the right (west) half of the Property (associated with 1840 Kalorama) is a 4-story structure that has most recently been used for a Montessori school (the “West Portion”). On the left (east) half of the Property (associated with 1836 Kalorama) is a two-story structure (the “East Portion”). The two portions of the Building have connections between them on every level.

You are proposing to construct an addition (the “Addition”) to the Building, and to convert the Building to eleven (11) residential dwelling units (the “Project”). You have asked for a review of certain aspects of the proposed Project to confirm its compliance with the Zoning Regulations. In particular, there are specific questions regarding the lower level Gross Floor Area calculation, penthouse setbacks, inclusionary zoning compliance, parking, bicycle parking, lot occupancy, among other zoning element confirmations.

You are proposing to develop and use the Building as an eleven (11)-unit residential dwelling pursuant to the plans attached hereto as Exhibit A, and as more specifically described herein. Multifamily use is permitted in the subject RA-2 zone as a matter of right. In this letter, I am confirming the compliance of the proposed Project with the Zoning Regulations applicable to the items specifically included hereinbelow.

**Density/FAR**

Pursuant to F-302.1, the maximum permitted FAR in the RA-2 zone is 1.8 (10,800 square feet of GFA based on a land area of 6,000 square feet). As a project afforded the FAR bonus as a result of it being subject to Mandatory Inclusionary Zoning, the maximum permitted FAR for this Project is 2.16 (12,960 sf of GFA). As was discussed, the plans attached as Exhibit A show a Gross Floor Area amount of 12,954 square feet, and as such is compliant with the maximum permitted FAR for the Property.

### Lower Level GFA

The Gross Floor Area of the first level of the proposed Building is calculated pursuant to B-304.5. You have provided a Site Section drawing on the bottom half of Page A100 of Exhibit A, illustrating the elements that are involved in the calculation of the ground floor GFA. The Site Section includes a red line representing the level of the finished first floor (“FFF Line”), and a second red line (the “Grade Measurement Line”) drawn from the point of the existing grade at the center of the front façade (the Building’s BHMP) to a point at the center of the proposed rear façade (the “Rear Façade Grade Point”).

There is a perpendicular (vertical) line from the point at which the Grade Measurement Line is 5 feet or more below the FFF Line. You have represented that these lines accurately reflect the correct elevations, the space to the left of the perpendicular line (toward the rear of the Property) is not included in GFA, and the space to the right of the perpendicular line is included in GFA. Based on this calculation, 2,605 sf of the ground floor is included in GFA, and 1,463 sf of the ground floor is *not* included in GFA. You have further noted that the exact elevations will be provided in the building permit application by your certified professionals), and, based on the attached drawings, you are confirming that the locations of the proposed BHMP and Rear Façade Point are compliant with the measurement methods provided in the Zoning Regulations.

### Exterior Balconies/GFA

You are proposing to add balconies along the rear wall of the building, on multiple stories. The floor area of these balconies does not count in Gross Floor Area, if these balconies are less than six feet (6 ft.) in depth projecting from the rear building wall; **if they exceed six feet (6 ft.); they would count in Gross Floor Area.**

### Lot Occupancy

Lot Occupancy is proposed to be over the maximum permitted sixty percent (60%), but not more than seventy percent (70%). **You would need to obtain BZA special exception approval to extend the Lot Occupancy percentage beyond sixty percent (60%). Special exception relief is available up to seventy percent (70%). You have indicated that you intend to apply to the BZA for this relief.**

### Retaining Wall

You have represented that the grade measuring point at the rear of the proposed Building for the lower level GFA calculation will not change from its currently existing level. However, you plan to remove grade from the alley into the rear yard to provide parking spaces at the rear of the Property. You have indicated, per Exhibit A, A100, that the existing grade will remain as it is now, for a distance of about eleven (11) feet back from the edge of the permitted areaway behind the Building. There is no minimum required distance of retention for this grade level provided for in the Zoning Regulations, in order to keep the rear grade measuring point. Therefore, the described excavation will not affect the grade measurement point at the rear of the Building for purposes of the lower-level GFA calculation.

### Areaway – Exception to Grade

You intend to provide an areaway at the rear of the Building. In order for this areaway to be considered an exception to grade – for purposes of lower level GFA measurement – it must provide direct access to an entrance and, excluding associated stairs or ramps, it may project no more than five feet (5 ft.) from the rear building face.

### Height

Pursuant to F § 303.1, the maximum permitted height in the RA-2 zone is fifty feet (50 ft.). You are proposing a total building height of forty-eight feet 2 inches (48' 2"), as measured from the existing grade at the center of the front of the Building, as shown on page A201 of Exhibit A. Accordingly, the Project will comply with the height requirements of the RA-2 Zone.

### Habitable Penthouse

Penthouse Habitable Space is permitted on the Building, subject to FAR and setback requirements, as well as other requirements such as the IZ contribution. Regarding setbacks, any penthouse shall be set back from the edge of the roof upon which it is located a distance equal to its height from: *(1) the front building wall; (2) the rear building wall; and (3) any adjacent property along the shared side lot line if that adjacent property is improved with a building that is a designated landmark or contributing structure to a historic district with a height at least ten feet (10 ft.) below the maximum height permitted in its zone.*

You have represented that there is a contributing structure on each side of the Property, and each of those structures are more than forty feet (40 ft.) in building height. Assuming those heights over forty (40 ft.), there will not be a side setback on either side for the proposed penthouse. Regarding the FAR calculation for the Building, the first 0.4 FAR of habitable penthouse is excluded from GFA calculation for the entire Building, subject to the requirement to pay a contribution to the District's Housing Production Trust Fund pursuant to Section C-1507 of the Zoning Regulations.

### Green Area Ratio

Pursuant to F § 307.1, because the Building is considered to be a contributing structure to the historic district, and because the Project proposes an increase in GFA of more than fifty percent (50%), the Property will be required to meet the 0.4 GAR Requirement.

### Inclusionary Zoning

Based on the fact that you are adding 10 or more new units and utilizing the bonus density, the entire building is subject to Inclusionary Zoning. The plans indicate that dwelling unit #1 is designated as the IZ unit. Unit #1 has 1,069 net sq. ft.

The IZ set-aside requirement is the greater of: *(1) 10% of the net residential square footage, including cellar square footage and any bay projections; or (2) 75% of the bonus density utilized, multiplied by the net: gross square footage ratio.* In this case, you are providing a FAR of 2.16, or 12,954 sq. ft. Based on

the net square footage chart provided in the plans, the total net square footage of residential area (not including the penthouse unit 11, but including non-FAR residential space on the first floor) is 11,770 sq. ft.. The residential GFA for IZ purposes, which includes non-FAR residential space on the first floor, is 14,417 sq. ft. Accordingly, the net:gross ratio is 0.82. The bonus density FAR is 2,154 sq. ft., or ~0.36. Therefore, 75% of the bonus density utilized, multiplied by the net:gross ratio is 1,319 sq. ft. You have indicated that you are opting to reduce the square footage by 20% and sell the unit at a 60% MFI price, resulting in a total net square footage set-aside requirement of 1,055 sq. ft. (1,319 sq. ft. x 80%). Unit 1 has 1,069 net square feet and therefore satisfies the IZ set-aside requirement. As it is a 2BR unit with over 850 net square feet, it also satisfies both the proportionality rule and size requirement for IZ units.

You are also providing habitable penthouse square footage which will also trigger an IZ requirement. Based on the plans, the penthouse is entirely private habitable space; therefore, the entire penthouse GFA will be the basis of the penthouse IZ requirement. You have indicated the penthouse has a GFA of 2,239 square feet. Accordingly, you will be required to either: (1) add 224 square feet to the IZ requirement generated from the building (10% of the penthouse sq. ft.) and price the unit at 50% MFI; or (2) pay a one-time fee to the Housing Production Trust Fund. You have indicated that you will pay the fee. Based on a land area of 6,000 square feet, a maximum permitted FAR (without bonuses) of 1.8, a penthouse GFA of 2,239 sq. ft., and a land value of \$1,089,000, the total fee contribution is \$112,882.92. Note that the land value indicated is based on the 2023 land value.

#### Off-Street Automobile Parking Requirement

The Building is a contributing structure in the Washington Heights Historic District. Pursuant to C § 704.2, additions to historic resources shall only be required to provide parking for the addition if the addition results in at least a fifty percent (50%) increase in GFA *and* the resulting requirement is at least four (4) parking spaces. You are increasing the GFA by 50% or more, but because your unit count is only eleven (11) dwelling units, it would have a parking requirement of less than four (4) spaces. Therefore, you are permitted, but not required, to provide parking spaces on the Property. Pursuant to C-712.4 and C-712.6, because the Building is a historic resource and the parking angle is 90 degrees, the minimum dimensional requirement for all parking spaces on the Property will be a width of 8 ft. and a depth of 16 ft.

#### No Bicycle Parking Requirement

Pursuant to C-802.6 of the Zoning Regulations, additions to historic resources shall be required to provide additional bicycle parking spaces *only for the addition's gross floor area* and only when that additional gross floor area results in at least a fifty percent (50%) increase in the Building's existing gross floor area. If the total of the new residential units included within the addition's new gross floor area is less than eight (8) units, then there will be no bicycle parking requirement.

#### Conclusions

**You have indicated that you intend to apply to the BZA as the proposed Lot Occupancy is over the maximum permitted sixty percent (60%), but not more than seventy percent (70%). You need to**

**obtain BZA special exception approval to extend the Lot Occupancy percentage beyond sixty percent (60%). Special exception relief is available up to seventy percent (70%). for this relief.**

If the BZA granted this relief, then, accordingly, when building permits are filed for, my office will approve permits for this property consistent with the above presented zoning criteria and compliance information.

Please let me know if you have any further questions.

Sincerely, *Matthew Le Grant*  
Matthew Le Grant  
Zoning Administrator

Attachments: Plan Set dated 8-18-23

Zoning Technician: Greg Garland

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 DOB 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 DOB.

File: Det Let re 1836-40 Kalorama Rd NW to Bloomfield 9-20-23