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D.C. OFFICE OF ZONING
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February 3, 2012

VIA HAND DELIVERY

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Application No. 18306 of 1919 14th Street, LLC, on behalf of 14th Street Properties- Post-Hearing Submission

Honorable Members of the Board:

On behalf of the Applicant, we are submitting supplemental information requested by the Board of Zoning Adjustment ("Board") at the conclusion of the public hearing on January 24, 2012, in the above-referenced case.

I. Proposed Conditions

In response to concerns raised by neighbors concerning the potential for spill-over parking on neighboring streets, and in order to provide further assurance to the community that tenants of the proposed building will be prohibited from obtaining RPP stickers, the Applicant has proposed including the following condition in any Board order approving this case:

The Applicant shall include language in all documents related to the lease of the residential units that residents of the building are prohibited from applying for residential permit parking stickers from the District of Columbia, regardless of the building's ownership, and for the life of the building.

This condition is similar to that in other cases approved by the Board and the Zoning Commission, and is consistent with the recommendation of ANC 1B in their letter dated January 11, 2012 and included as Exhibit 28 in the record of this case.

In addition, as indicated in the Applicant's prehearing submission and as discussed at the public hearing, the Applicant is continuing to work with the Historic Preservation Office to refine certain elements of the building's design, and therefore the Applicant is requesting

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO.

18306

EXHIBIT NO.

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Board of Zoning Adjustment
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EXHIBIT NO.48

flexibility from the Board regarding the final design of the building. The Applicant proposes the following condition:

The Applicant shall have the flexibility to modify the design and internal layout of the building to address any comments from the Historic Preservation Office and the Historic Preservation Review Board during final review of the project so long as the modifications do not require any additional areas of zoning relief.

This condition is similar to conditions included in other cases approved by the Board that require HPRB approval.

II. Enforceability of Residential Permit Parking ("RPP") Restriction

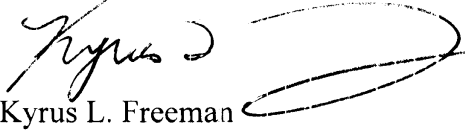
As requested by the Board, the Applicant has received confirmation from the D.C. Department of Transportation ("DDOT") regarding the enforceability of the Applicant's proposal to restrict residents of the building from applying for RPP stickers.

As indicated in the letter filed by DDOT on February 1, 2012, a copy of which is attached hereto as Tab A, DDOT has confirmed that residents in the block including the subject property currently cannot obtain RPP stickers since the odd numbered addresses in that block have not been set aside for residential permitted parking. DDOT also confirmed that even if this were not the case, if the Board issues an order that includes a condition prohibiting residents of the building from applying for RPP stickers, then DDOT has the authority to coordinate with the D.C. Department of Motor Vehicles to restrict residents of the site from obtaining RPP stickers. DDOT concludes by indicating: "Thus, the Applicant's stated commitment to prohibit tenants of the proposed building from obtaining RPP stickers is consistent with what has been done in other cases, and can be restricted by DDOT and the DMV in order to accomplish this goal." The Applicant has provided a copy of DDOT's confirmation letter to members of the community.

The letter dated February 1, 2012 from ANC Commissioner Alexandra Lewin-Zwerdling clarifying the position of the ANC 1B, concludes by stating: "The contingency that residents of 1905-1919 14th Street will not be able to obtain RPP permits for the life of the building is a critical component for the residents of ANC1B in order to support the Applicant's request for parking and other variances." The Applicant's proposed condition to restrict residents of the building from applying for RPP parking stickers, regardless of the building's ownership, and for the life of the building, combined with the confirmation letter from DDOT, is consistent with the ANC's recommendations and provides the assurance that the community has requested.

The Applicant therefore requests that the Board approve this application.

Sincerely,

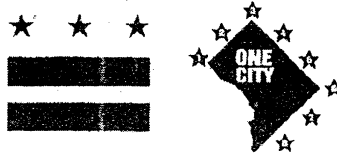


Kyrus L. Freeman

Attachment

cc: Steve Cochran, Office of Planning (Via E-Mail, with attachment)
ANC 1B (Via U.S. Mail, with attachment)

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF TRANSPORTATION



d. Policy, Planning and Sustainability Administration

TO: Meridith Moldenhauer
Chairperson
DC Board of Zoning Adjustment

FROM: Sam Zimbabwe
Associate Director, PPSA
District Department of Transportation

DATE: January 31st, 2012

SUBJECT: BZA Case No. 18306 – RPP Restriction

U.C. OFFICE OF ZONING
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The District Department of Transportation (DDOT) is committed to achieving an exceptional quality of life in the nation's capital through more sustainable travel practices, safer streets and outstanding access to goods and services. As part of the review process for cases that come before the BZA, DDOT analyzes any issues that may have a significant effect on the city's transportation network. In the case at hand, the community is concerned about the potential on-street parking demand generated by the proposal. As part of the conditions for approval, the Applicant wishes to restrict its future residents from obtaining Residential Permit Parking (RPP).

DDOT has no objection to this proposed restriction, and does not believe it is inconsistent with relevant regulatory authority or current practices. According to 18 DCMR § 2411.9, "the Director may withdraw the designation of a block for residential permit parking from a block on which there are no residences with addresses only after giving thirty (30) day written notice to the affected Advisory Neighborhood Commission". DDOT has searched the Residential Permit Parking Database, and has determined that the odd numbered addresses listed at 1905-1917 14th Street NW have not been set aside for residential permitted parking. Therefore, although DDOT has authority to remove a block from the RPP database, it is not necessary for DDOT to remove any portion of this block from the RPP system in order for the enforcement of this restriction to be possible since residents at this address already cannot obtain RPP.

The Applicant is free to enforce the restriction in any way it sees fit. This could include a stipulation in a rental or purchase agreement. As it stands now, a resident of one of the 1905-1917 14th Street NW addresses cannot obtain RPP through the District Department of Motor Vehicles as the addresses have not been designated as an approved RPP block. Moreover, even if the odd numbered addresses listed at 1905-1917 14th Street NW were not already restricted from residential permitted parking, if the Board issues an order that includes a condition prohibiting residents of the building from applying for RPP stickers, then because there are no residences currently on the block and after providing the affected ANC thirty days notice, DDOT is authorized to issue a memorandum to the D.C. Department of Motor Vehicles instructing them to remove the site address from the RPP system. Thus, the Applicant's stated commitment to prohibit tenants of the proposed building from obtaining RPP stickers is consistent with what has been done in other cases, and can be restricted by DDOT and the DMV in order to accomplish this goal.

SZ:jk