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2012 APR 24 PM 12:30

Kyrus L. Freeman
kyrus.freeman@hklaw.com
202-862-5978

April 24, 2012

VIA HAND DELIVERY

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

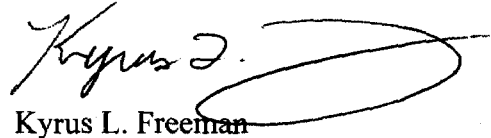
Re: Application No. 18346 - PreHearing Statement of the Applicant

Honorable Members of the Board:

On behalf of the Applicant in the above-referenced case, enclosed please find one original and twenty copies of the Applicant's prehearing submission in support of its application for a special exception pursuant to Section 802.21 of the Zoning Regulations, and an area variance from Section 801.7(a)(iii) and Section 801.7(a)(iv)(D) of the Zoning Regulations, to permit animal boarding and animal shelter uses in the C-M-1 District at premises 900 M Street, S.E. (Square 952, Lot 34).

Thank you for your attention to this application.

Sincerely,



Kyrus L. Freeman

Enclosures

cc: Stephen J. Mordfin, Office of Planning (Via Hand, with enclosure)
ANC 6B (Via U.S. Mail, with enclosure)

BOARD OF ZONING ADJUSTMENT

District of Columbia

CASE NO.

EXHIBIT NO.

18346
27

**BEFORE THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

**APPLICATION OF
WAGTIME, LLC**

**BZA APPLICATION NO. 18346
HEARING DATE: MAY 8, 2012**

STATEMENT OF THE APPLICANT

**I.
NATURE OF RELIEF SOUGHT**

This Statement Of The Applicant is submitted by WagTime, LLC (the "Applicant"), as tenant of property located at 900 M Street, S.E. (Square 952, Lot 34) (the "Site"), in support of its application pursuant to 11 DCMR Section 3103.2 and Section 3104.1 for a special exception pursuant to Section 802.21, and a variance from Section 801.7(a)(iii) and Section 801.7(a)(iv)(D), to permit animal boarding and animal shelter uses in the C-M-1 District at the Site.

**II.
JURISDICTION OF THE BOARD**

The Board of Zoning Adjustment (the "Board" or "BZA") has jurisdiction to grant the variance and special exception relief requested herein pursuant to Sections 3103.2 and 3104.1 of the Zoning Regulations.

**III.
EXHIBITS IN SUPPORT OF THE APPLICATION**

- Exhibit A: Portion of the Baist and Sanborn Atlas plats showing the Site;
- Exhibit B: Portion of the Zoning Map showing the Site;
- Exhibit C: Photos of the Applicant's establishment at 1232 9th Street, N.W.;

- Exhibit D: Email in Support from Alexander M. Padro, Chairman of Advisory Neighborhood Commission 2C;
- Exhibit E: Email in Support from Helen Kramer, former Chairwoman of Advisory Neighborhood Commission 2F;
- Exhibit F: Letter in Support from Ellen Thacker, Gloucester-Mathews Humane Society, Inc.;
- Exhibit G: Letter in Support from Peggy Bowditch;
- Exhibit H: Letter in Support from Kristen D. Roe;
- Exhibit I: Letter in Support from Polly Rich;
- Exhibit J: Floor Plan Showing Layout of Proposed Uses;
- Exhibit K: Outline of Testimony of Lisa Schreiber, WagTime, LLC; and
- Exhibit L: Outline of Testimony of Steven E. Sher, Director of Zoning and Land Use Services, Holland & Knight LLP.

IV. BACKGROUND

A. Background Information Regarding the Site and Surrounding Area

The Site is located at 900 M Street, S.E. and includes Lot 34 in Square 952. Square 952 is located in the southeast quadrant of the District of Columbia and is bounded on the north by L Street, S.E., on the east by 10th Street, S.E., on the south by M Street, S.E., and on the west by 9th Street, S.E. (See plats attached hereto as Exhibit A). The Site includes approximately 13,766 square feet of land area. The Site is located within the C-M-1 District (See Zoning Map attached hereto as Exhibit B), and is currently improved with a commercial structure. As shown on the Zoning Map, the properties located to the north and east are also in the C-M-1

District, the properties to the south are unzoned, and the properties to the west are in the C-3-A and ES/C-3-A District.

B. Description of Applicant and Proposed Development

WagTime, LLC was established in 2001 by Lisa Schreiber and Ofer Khal. The Applicant operates an existing facility at 1232 9th Street, N.W., where it offers a variety of services including: cage-free dog daycare and boarding, professional pet grooming, home dog walking, feline care, and a pet pick-up and delivery service. In addition, the "pet boutique" retail use sells a variety of organic, nutritional foods and treats, toys, animal carriers, and animal clothing. Photos of the Applicant's establishment at 1232 9th Street, N.W. are attached hereto as Exhibit C. The Applicant also fosters dogs for local rescue groups and provides assistance and advice for dog adoptions. The Applicant has shown a demonstrated commitment to providing quality services and employing a professionally trained and compassionate staff, which have helped the Applicant to meet the highest standards in pet care and customer service, as reflected in the multiple letters of support attached hereto as Exhibit D through Exhibit I.

As shown on the floor plan attached hereto as Exhibit J, the Applicant proposes to renovate and use a portion of the existing building on the Site for an animal boarding use and a portion of the building for an animal shelter use. The animal boarding use is permitted by special exception, and the animal shelter use is permitted as a matter-of-right, subject to certain conditions. As described in more detail below, the Applicant meets the special exception standards for the animal

boarding use, and is seeking area variances from two of the standards for the animal shelter use. The area of the animal shelter use is shown in pink on Exhibit J. The proposed animal boarding use will provide pet grooming services, overnight pet stays, pet walking and exercise, and the sale of pet supplies. The Applicant anticipates serving approximately 75-80 dogs of different sizes, and anticipates having a staff of 10-15 employees. All of the dogs will be kept in cage-free environments, and will be cared for by multiple members of the staff.

V.
**THE APPLICANT MEETS THE BURDEN
OF PROOF FOR SPECIAL EXCEPTION RELIEF**

Relief granted through a special exception is presumed appropriate, reasonable and compatible with other uses in the same zoning classification, provided the specific regulatory requirements for the requested relief are met. In reviewing an application for special exception relief, "[t]he Board's discretion ... is limited to a determination of whether the exception sought meets the requirements of the regulations." *First Baptist Church of Washington v. District of Columbia Board of Zoning Adjustment*, 423 A.2d 695, 701 (D.C. 1981) (quoting *Stewart v. District of Columbia Board of Zoning Adjustment*, 305 A.2d 516, 518 (D.C. 1973)). If the applicant meets its burden, the Board must ordinarily grant the application. *Id.*

A. Standard of Review for Animal Boarding Use Special Exception

Pursuant to Section 802.21 of the Zoning Regulations, an animal boarding use may be permitted as a special exception if approved by the Board of Zoning

Adjustment under Section 3104.1, subject to the provisions of Section 802.22 to 802.24. The Applicant complies with the special exception standards as follows:

1. **Section 802.22 - The animal boarding use shall be located and designed to create no condition objectionable to adjacent properties resulting from animal noise, odor, or waste.**

The proposed animal boarding use has been located and designed to create no objectionable conditions to adjacent properties resulting from animal noise, odor, or waste. In working with Advisory Neighborhood Commission 6B, the Applicant has agreed to implement the following operations conditions, and has also agreed to request that the Board include these conditions in any order approving this application:

1. The Applicant shall maintain the existing concrete masonry building, which helps to absorb sound, and shall also utilize industry standard flooring sealants to help eliminate bacteria and minimize odors by preventing waste from penetrating into the concrete floor.
2. The Applicant shall place all solid animal waste from both indoor and outdoor areas in biodegradable bags and in closed waste disposal containers. The Applicant shall utilize a qualified waste disposal company to collect and dispose of all animal waste 3 times per week.
3. The Applicant will wash all indoor floors with a water/chemical mixture that breaks down urine odor and the liquid mixture will be captured by a drainage system.
4. The Applicant shall control odor by installing HEPA filtration systems for all air conditioner units in all daycare areas throughout the building. The units and vents shall be maintained and cleaned by a professional company.
5. With respect to the outdoor training area located in the parking lot adjacent to M Street S.E. as depicted in the plans submitted with the BZA application: (1) no animals shall be permitted in the outdoor training area between the hours of 5:00 p.m. and 9:00 a.m.; (2) the outdoor training area shall be enclosed with fencing having a minimum height of 8 feet and constructed of

solid or opaque materials with noise absorbing characteristics; (3) no more than 3 animals shall be permitted within the outdoor training area at a time and a staff member will be present whenever animals are in the outdoor training area; (4) the only entrance to the outdoor training area shall be from within the building; (5) the outdoor training area will measure approximately 19 feet in width by approximately 26 feet in length; (6) the outdoor training area will be washed daily with a water/chemical mixture that breaks down urine odor; and (7) the liquid mixture used to clean the outdoor training area will be captured in a way that prevents its flow onto public space.

6. The Applicant will encourage all customers to park in the lot adjacent to M Street S.E. or use its "Valet Barking" service when dropping off animals at the 9th Street entrance. The Applicant will discourage customers from parking along neighborhood streets, particularly Potomac Avenue S.E. and 10th Street S.E., through verbal and written messages.
7. The Applicant agrees to create, within sixty (60) days of the issuance of a BZA Order to approve the application for the proposed WagTime location at 900 M Street, S.E., an on-going Liaison Committee to address any neighborhood concerns regarding the operation of the site. The Liaison Committee shall be composed of a representative from the Applicant and a neighborhood representative selected by Kirsten Oldenburg, the Single Member District Commissioner for Advisory Neighborhood Commission 6B04. Both the Applicant and Commissioner Oldenburg have the right to change their designated representatives upon written notice to the other party. The Applicant's representative to the Liaison Committee is Lisa Schreiber, whose current telephone number is (202) 498-9664 and current email address is lwagtime@aol.com. The operations of the facility will be reviewed by the Liaison Committee no less than 6 months and 1 year from the effective date of the Certificate of Occupancy issued as a result of the BZA Order approving the application.

The Applicant believes that its implementation of these measures will help to ensure that the proposed animal boarding use will not create any objectionable conditions to adjacent properties resulting from animal noise, odor, or waste.

2. Section 802.23 - The animal boarding use shall not abut a Residence District.

The Site is located in the C-M-1 District. The properties located to the north and east are also in the C-M-1 District, the properties to the south are unzoned, and the properties to the west are in the C-3-A and ES/C-3-A District. Thus, the proposed animal boarding use does not abut any residence districts.

3. Section 822.19 - External yards or other exterior facilities for the keeping of animals shall not be permitted.

The Applicant does not propose any external yards or other exterior facilities for the keeping of animals in connection with the proposed animal boarding use. The outdoor training area is only used in connection with the animal shelter use.

VI.
THE APPLICANT MEETS THE BURDEN
OF PROOF FOR VARIANCE RELIEF

Under D.C. Code §6-641.07(g)(3) and 11 DCMR §3103.2, the Board is authorized to grant an area variance where it finds that three conditions exist:

- (1) the property is affected by exceptional size, shape or topography or other extraordinary or exceptional situation or condition;
- (2) the owner would encounter practical difficulties if the zoning regulations were strictly applied; and
- (3) the variance would not cause substantial detriment to the public good and would not substantially impair the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

See French v. District of Columbia Board of Zoning Adjustment, 658 A.2d 1023, 1035 (D.C. 1995) (quoting *Roumel v. District of Columbia Board of Zoning Adjustment*, 417 A.2d 405, 408 (D.C. 1980)); *see also*, *Capitol Hill Restoration Society, Inc. v. District of Columbia Board of Zoning Adjustment*, 534 A.2d 939 (D.C. 1987). As discussed below, and as will be further explained at the public hearing, all three prongs of the area variance test are met in this application.

A. The Property Is Unusual Because of its Size, Shape or Topography and is Affected by an Exceptional Situation or Condition.

The phrase "exceptional situation or condition" in the above-quoted variance test applies not only to the land, but also to the existence and configuration of a building on the land. *See Clerics of St. Viator, Inc. v. D.C. Board of Zoning Adjustment*, 320 A.2nd 291, 294 (D.C. 1974). Moreover, the unique or exceptional situation or condition may arise from a confluence of factors which affect a single property. *Gilmartin v. D.C. Board of Zoning Adjustment*, 579 A.2nd 1164, 1168 (D.C. 1990). In this case, the Site is uniquely affected by the combination of the Site's unique shape, combined with the footprint and layout of the existing building on the Site. As shown on the building plat included with the application, the Site is irregularly shaped and includes 8 sides of varying length. For example, the Site has approximately 164.25 feet of frontage on M Street, S.E., 67.67 feet of frontage on 9th Street, S.E., and 94.75 feet of frontage on Potomac Avenue, S.E. The eastern portion of the Site includes multiple angles and dimensions, such as 49.58 feet, 24.11 feet, 3.50 feet, 16.60 feet, and 75.58 feet. Due to the Site's configuration, the existing building on the Site has an irregular footprint, which results in the creation

of large courts used for parking along the northern and eastern property lines.

B. Strict Application of the Zoning Regulations Would Result in a Practical Difficulty to the Owner

The strict application of Section 801.7(a)(iii) and Section 801.7(a)(iv)(D) of the Zoning Regulations in this case would result in a practical difficulty to the Applicant. Section 801.7(a)(iii) of the Zoning Regulations provides that animal shelters cannot abut an existing residential use or a residence district. In addition, Section 801.7(a)(iv)(D) of the Zoning Regulations provides that outdoor runs and external yards for the exercise of shelter animals are permitted provided that no part of the outdoor run or external yard is located within 200 feet of an existing residential use or residence district.

The Site is located in the C-M-1 District. The properties located to the north and east are also in the C-M-1 District, the properties to the south are unzoned, and the properties to the west are in the C-3-A and ES/C-3-A District. Thus, the proposed use does not abut any residence districts. In addition, no portion of the animal shelter use is directly adjacent to or contiguous with any existing residential uses. However, the northeastern portion of the property line abuts an existing residential side and rear yard. The existing residential uses are located in an industrial zone district, and under the current zoning regulations, new residential uses generally cannot be constructed in industrial zones. Moreover, in working with the community, the Applicant has agreed that the only entrance to the outdoor training area will be from within the building, and given the footprint of the

existing building the only way to meet this requirement is to locate the animal shelter and outdoor area in the eastern portion of the building. In addition, given the size and dimensions of the Site, combined with the fact that the existing building covers a significant percentage of the Site, it is not physically possible for the Applicant to move the external yard 200 feet from the existing residential uses. Thus, it would be practically difficult for the Applicant to comply with the requirements of Section 801.7(a)(iii) and Section 801.7(a)(iv)(D) of the Zoning Regulations in this case.

C. **No Substantial Detriment to the Public Good Nor Substantial Impairment to the Intent, Purpose and Integrity of the Zone Plan**

There will be no substantial detriment to the public good and no substantial impairment to the intent, purpose and integrity of the zone plan by approving the project as proposed. The proposed use will provide pet grooming services, overnight pet stays, pet walking and exercise, and the sale of pet supplies. As described above, the Applicant has worked with the Advisory Neighborhood Commission 6B and has agreed to implement a number of operational conditions to help ensure that the proposed animal boarding use will not create any objectionable conditions to adjacent properties resulting from animal noise, odor, or waste. For example, the outdoor area will be limited in terms of hours, and no more than 3 animals will be permitted within the outdoor training area at a time. In addition, a staff member will be present whenever animals are in the outdoor training area. The outdoor training area will be enclosed with fencing having a minimum height of 8 feet and constructed of solid or opaque materials with noise absorbing characteristics, and

the outdoor training area will be washed daily with a water/chemical mixture that breaks down urine odor.

The Applicant has also agreed to create, within sixty (60) days of the issuance of a BZA Order approving this application, an on-going Liaison Committee to address any neighborhood concerns regarding the operation of the site. Therefore, approval of the requested variances will not result in any substantial detriment to the public good or substantial impairment to the intent, purpose and integrity of the zone plan.

VII.
WITNESSES

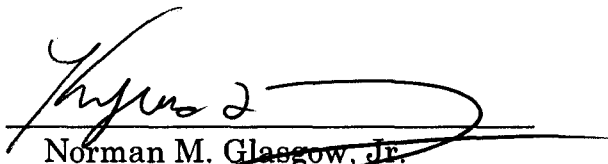
- A. Lisa Schreiber, WagTime, LLC
- B. Steven E. Sher, Director of Zoning and Land Use Services,
Holland & Knight LLP

VIII.
CONCLUSION

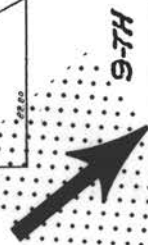
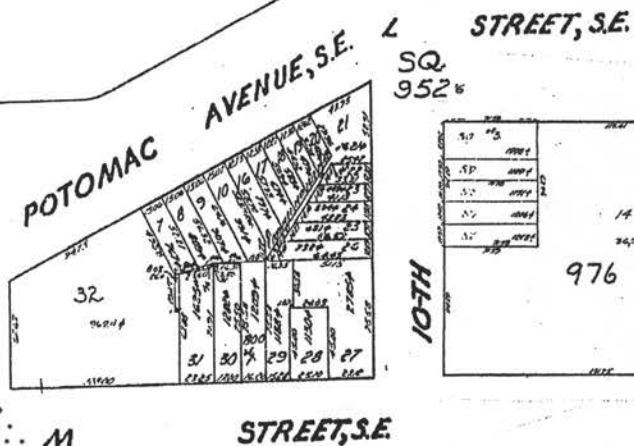
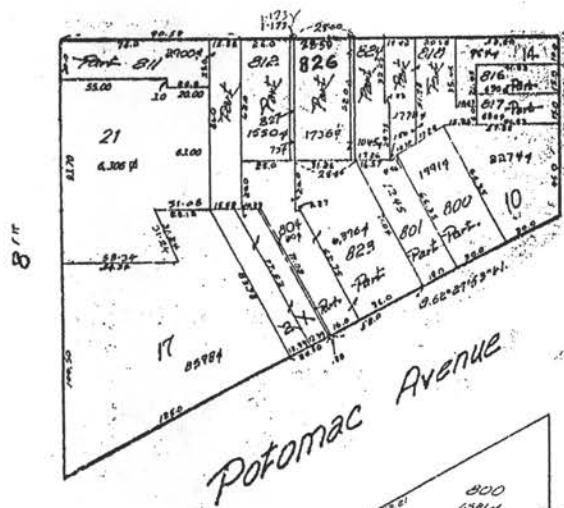
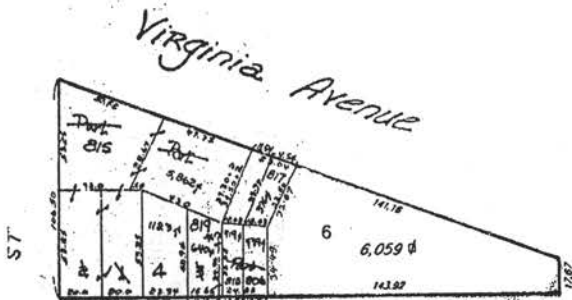
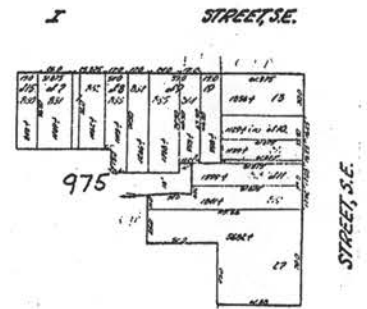
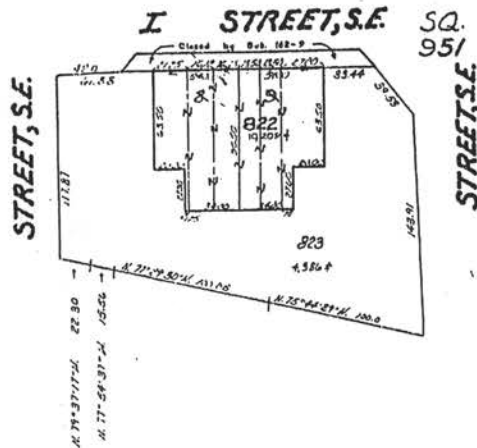
For the reasons stated above, the requested relief meets the applicable standards for variance and special exception relief under the Zoning Regulations. Accordingly, the Applicant respectfully requests that the Board grant the application.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

By: 
Norman M. Glasgow, Jr.
Kyrus L. Freeman, Esq.
2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006
(202) 955-3000

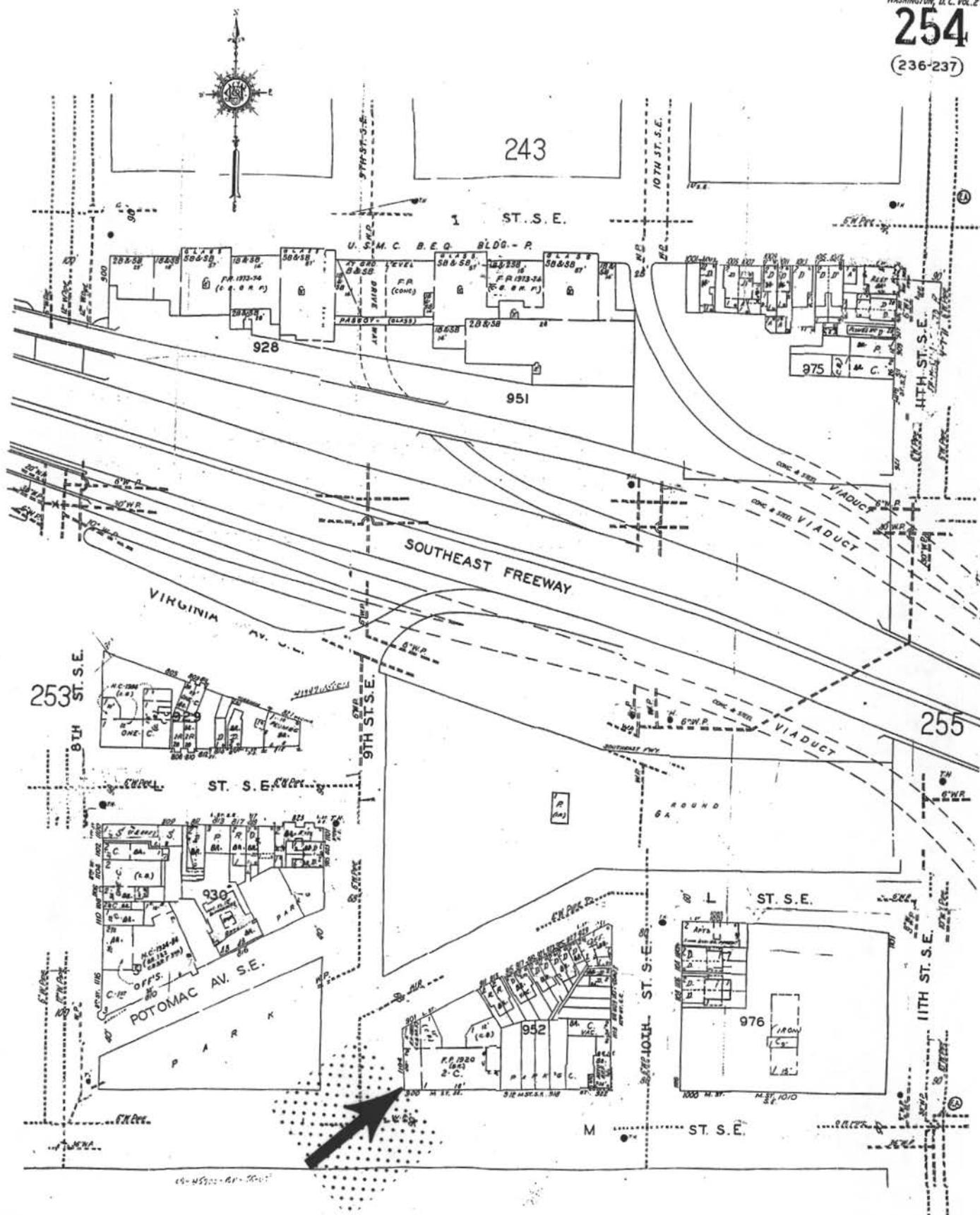
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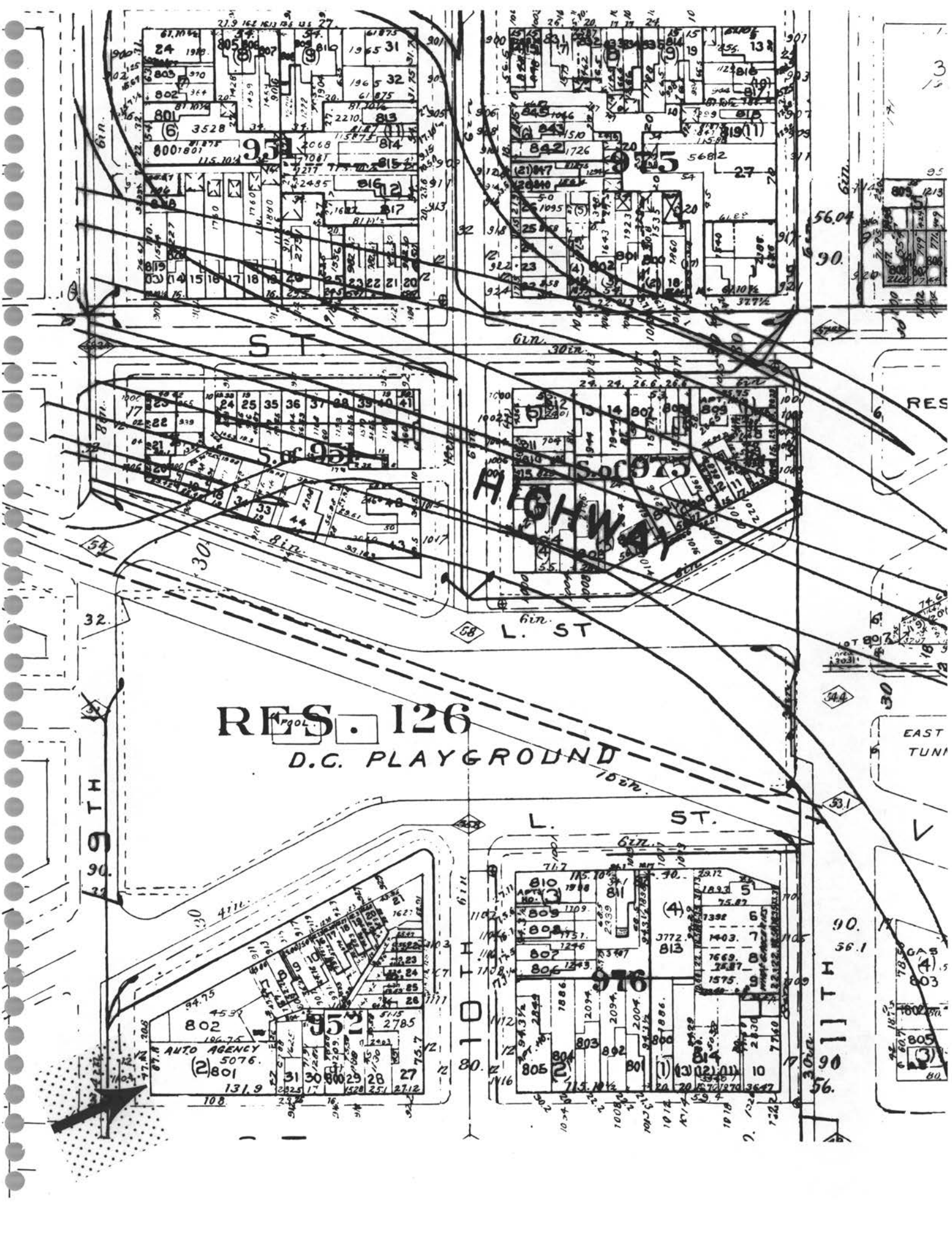


9-TH STREET, S.E.

10-TH

11-TH





RES. 126

D.C. PLAYGROUND

AUTO AGENCY
5076
(2801)

10TH ST

L ST

S ST

9TH ST

EAST TUN

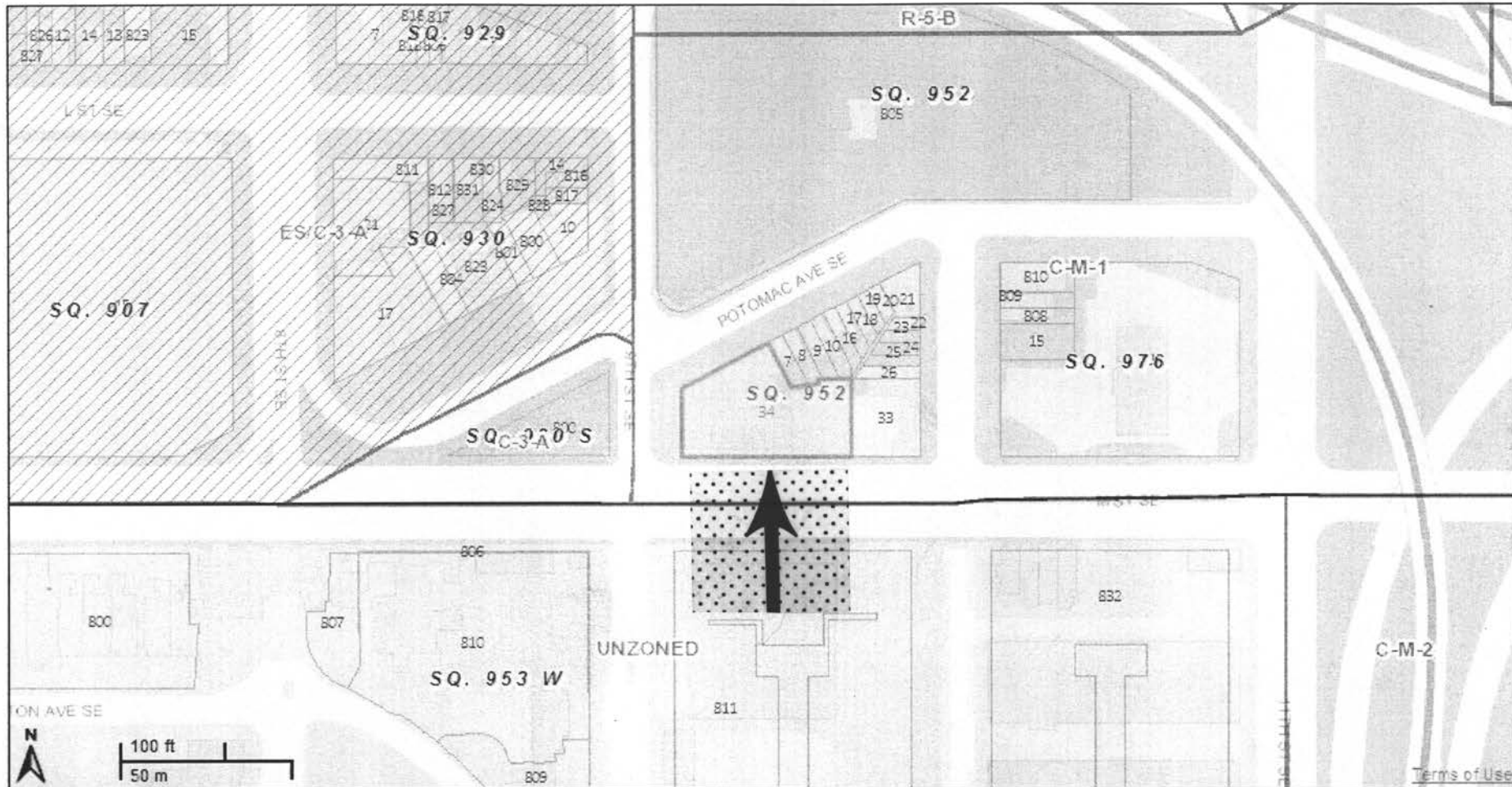
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District of Columbia Office of Zoning

EXTRACT OF THE DISTRICT OF COLUMBIA ZONING MAP

April 23, 2012



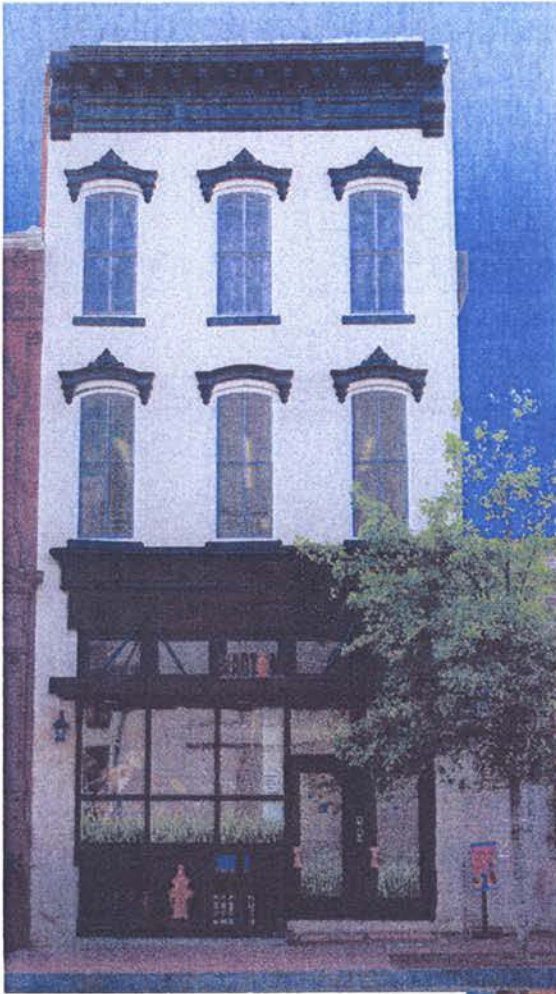
Zoning Layers

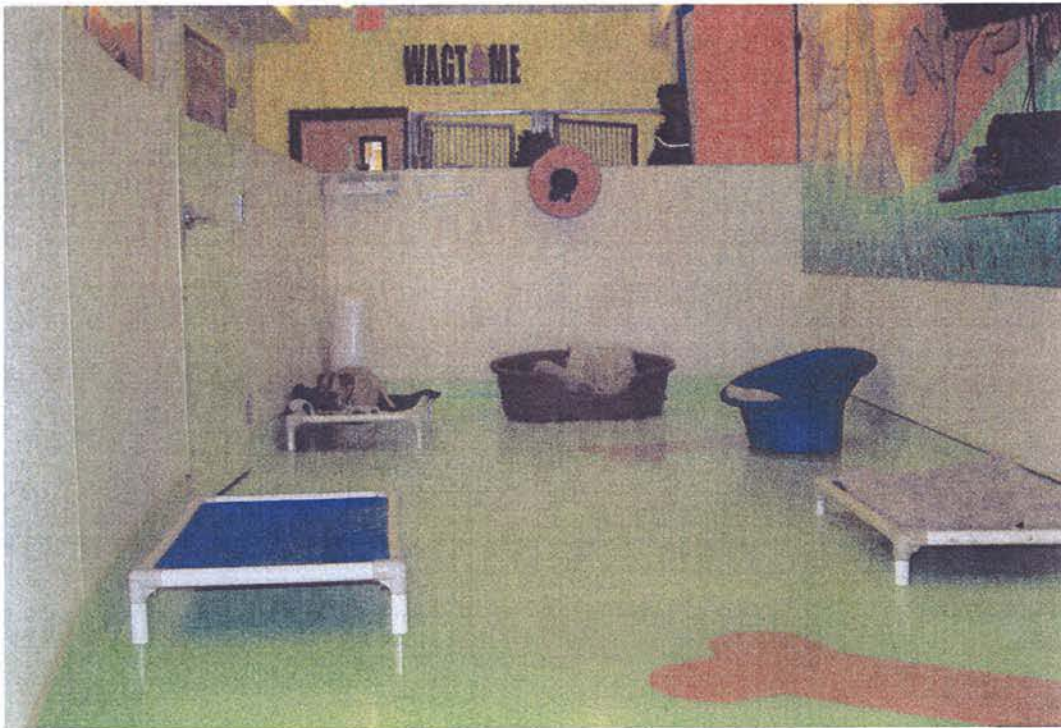
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|--------------------|--------------|-----------------|
| Zone Districts | CEA | Pending PUDs |
| Historic Districts | Campus Plans | PUDs |
| Overlays Districts | TDRs | Air Rights Zone |

To certify zoning on any property in order to satisfy a legal requirement, contact the Office of Zoning at (202) 727-6311.

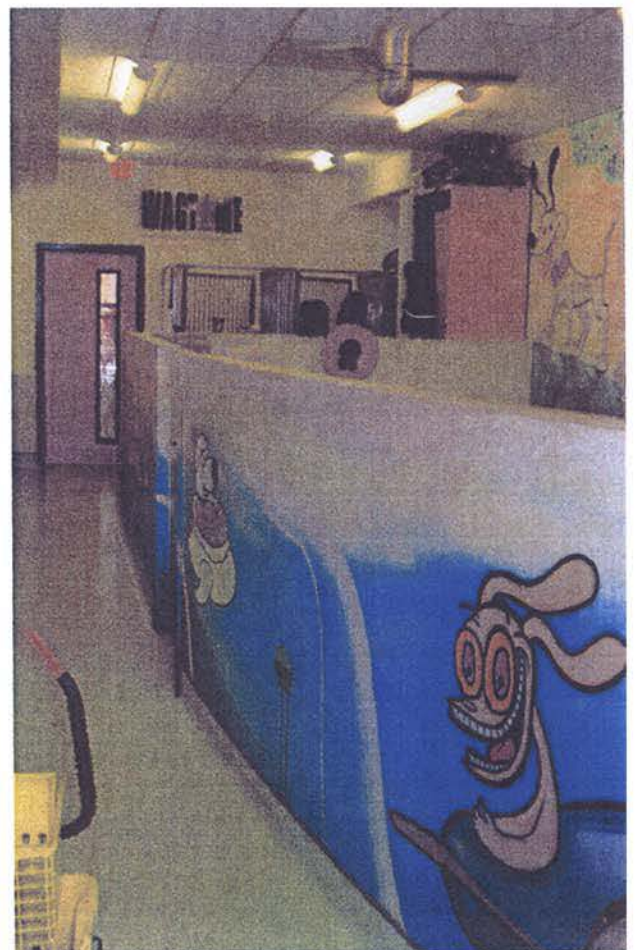
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Wagtime 1232 9th Street NW



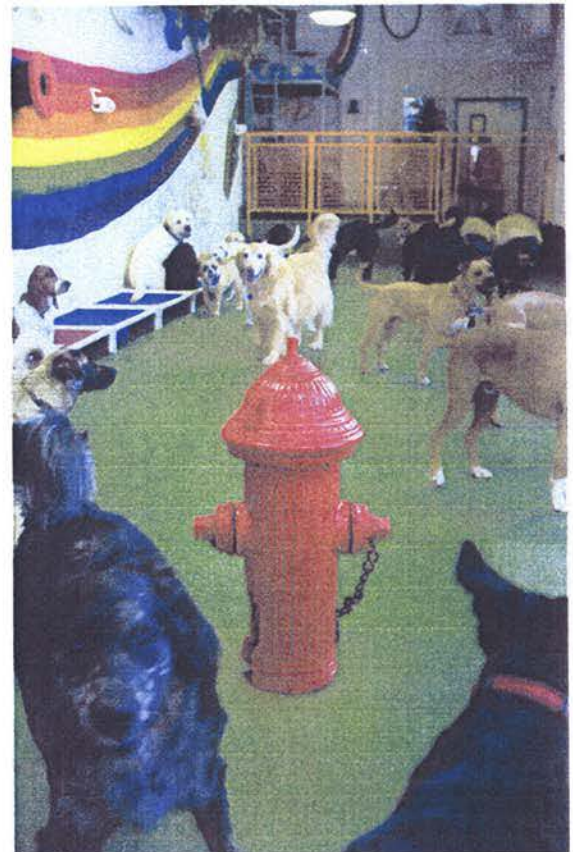


Senior & orphan care area



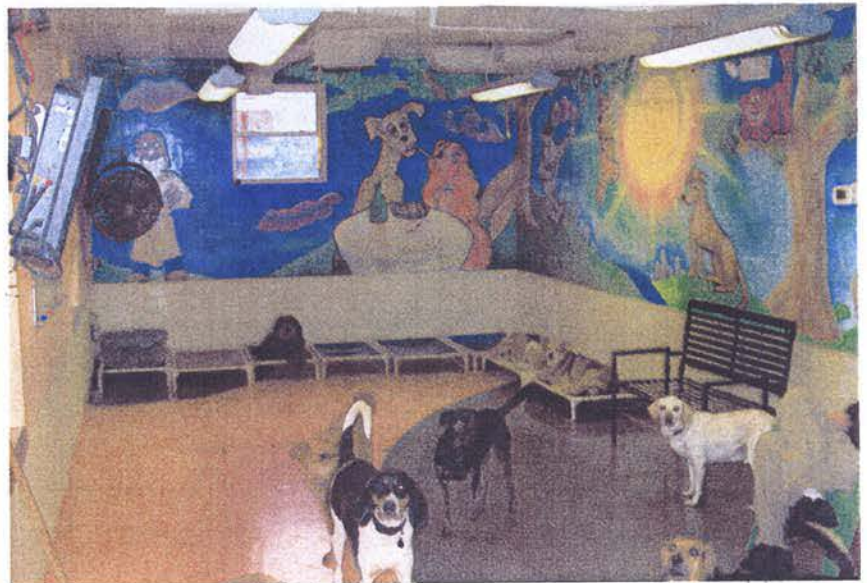


Big dogs play area & side run





Small/ medium dogs
play area & woof deck

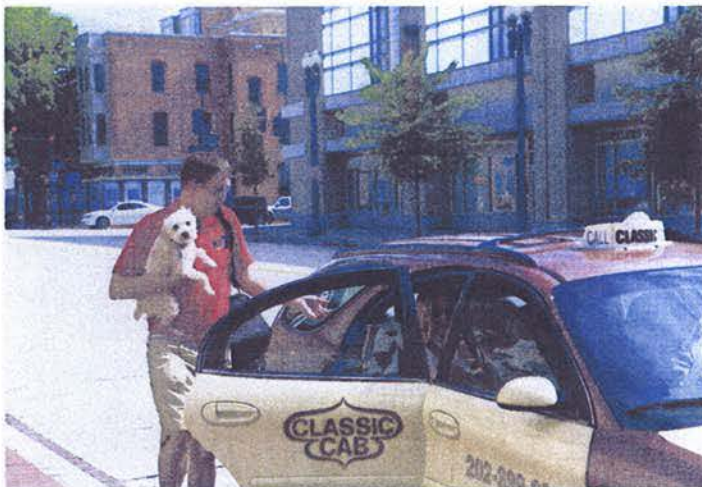




Blue room



Grooming room



Valet barking service

D

Jones, Cheryl B (WAS - X72468)

From: Alexander Padro [padroanc2c@gmail.com]
Sent: Tuesday, April 03, 2012 10:19 AM
To: kirsten6b04@anc6b.org; jared6b06@anc6b.org
Cc: Glasgow, Norman M Jr (WAS - X72460)
Subject: Wagtime Pet Spa & Boutique

Commissioners:

I am writing to share Shaw's experiences with Wagtime Pet Spa & Boutique, which has been a popular and engaged business and good neighbor on the 9th Street commercial corridor since 2005.

Owners Lisa Schreiber and Ofer Kahl are model business owners, DC residents who have invested in a transitional neighborhood at a time when others were unwilling to be pioneers. Bringing their award winning pet day care, grooming, and boutique business to 9th Street has attracted many other businesses to move to the area. Wagtime has been universally embraced by the community. There have been no negative impacts from their operations, only benefits.

Wagtime transformed a vacant, dilapidated historic row house into a state of the art facility, sensitively restoring historic elements and making the formerly derelict structure into the block's showplace. Today, the block is poised to be completely transformed through multiple development projects. Wagtime's early commitment to the block and the neighborhood has paid considerable benefits.

Wagtime commonly supports and hosts events for neighborhood civic associations. Wagtime has supported and participated in National Night Out events for many years. Lisa Schreiber served on the Board of Directors of Shaw Main Streets for two years.

When I first heard that Wagtime was contemplating opening a second location on Barracks Row, I shared with BRMS Executive Director Martin Smith that I believed that Wagtime would be a great addition to the mix of businesses in that commercial district. I reiterate that today and add that I believe that Wagtime will be a great neighbor and a wonderful new part of your community.

I am out of town today at a conference, or I would be at your meeting tonight to personally convey my experiences with Wagtime and answer any questions you might have. Please do not hesitate to contact me if I can answer any questions for you regarding Wagtime and our community's relationship with this exemplary business.

--

Alex

Alexander M. Padro
Commissioner, ANC 2C01
Chair, ANC 2C
1519 8th Street, NW
Washington, DC 20001-3205
202-518-3794
PadroANC2c@gmail.com

E

Glasgow, Norman M Jr (WAS - X72460)

From: Helen Kramer [hmk_dc@verizon.net]
Sent: Monday, April 02, 2012 2:21 PM
To: jared6b06@anc6b.org
Subject: Wagtime

Commissioner,

I am the former Chairman of ANC2F, and was a commissioner for a decade on the Logan Circle ANC. I also have a dog who has been groomed and boarded at Wagtime for many years. I attest to the facts that Wagtime's owners have operated their business responsibly and are community-friendly. They are a real asset to the neighborhood. Staff members stay with the dogs overnight, so there is no problem of persistent barking, nor are the dogs endangered by being left alone. I believe that your constituents will be happy to have a responsibly-operated pet boarding place.

Helen Kramer
(202) 483-1728

F

GLOUCESTER-MATHEWS HUMANE SOCIETY, INC.

December 15, 2011

BOARD OF DIRECTORS

H. Dieter Hoinkes
President

Shannon Fedors
Vice President

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MaryAnn Hubbard

Norman R. Malo

Madeline Hutcheson
Mayhood

John Phillips

P. B. White

Cam Williams

Ellen Thacker
Executive Director

To Whom It May Concern;

My name is Ellen Thacker, and I and the Executive Director of the Gloucester-Mathews Humane Society (GMHS) located in Gloucester, Virginia. Our animal sheltering organization has served the citizens and homeless animals of Virginia's Middle Peninsula since 1912.

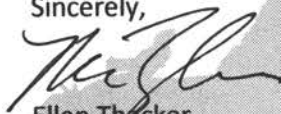
In these difficult economic times, we have found that more and more pet owners in our community have been forced to surrender beloved pets in order to be able to meet the most basic needs of their families. Our shelter finds itself full to capacity at most times, and although our local adopting public is very supportive of the needs of our animals, there are simply not enough good homes to "go around" in our relatively small community.

We have been extremely fortunate to establish a partnership with Lisa Schreiber and Ofer Khal, the owners of Wagtime, LLC located in Washington, D.C. Lisa and Ofer work with us to transport adoptable dogs from our shelter and municipal pounds to their facility at 1232 9th Street NW where they are taken in, treated with great kindness and relocated into new homes in the D.C. area. To date, they have helped us to save the lives of over 200 dogs, and will certainly help to save more in the future.

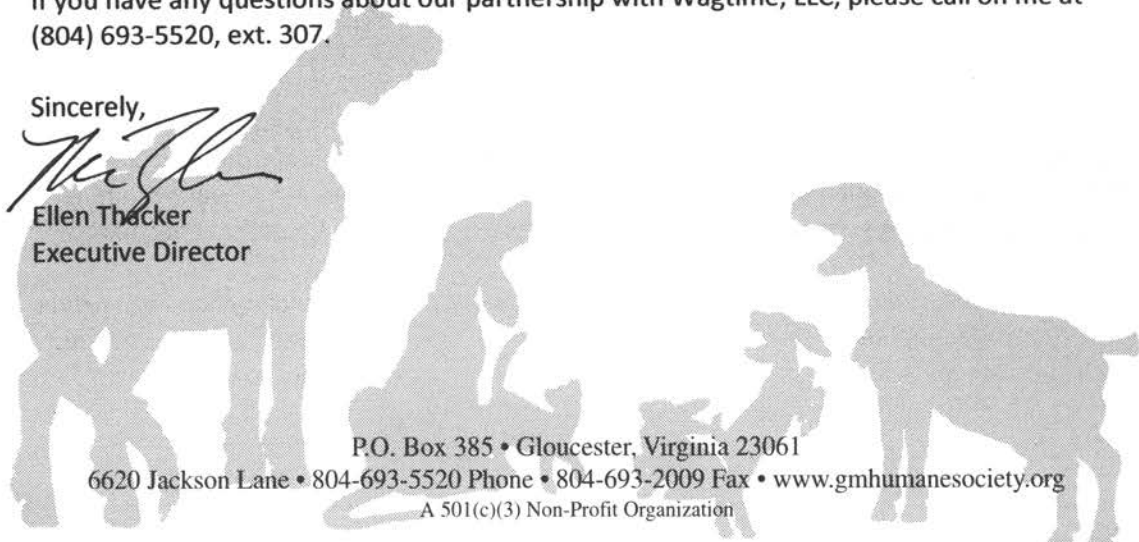
We are extremely grateful for the important community service that Wagtime provides to our homeless dogs in giving them a new opportunity to live productive and joyful lives. Without their assistance our own programs would be less effective and adoptable dogs would be unable to realize their potential as companion animals. Any expansion of their service capabilities would provide our shelter and the homeless pets of our community with even more opportunity to live into our mission of strengthening the animal-human bond.

If you have any questions about our partnership with Wagtime, LLC, please call on me at (804) 693-5520, ext. 307.

Sincerely,



Ellen Thacker
Executive Director



P.O. Box 385 • Gloucester, Virginia 23061
6620 Jackson Lane • 804-693-5520 Phone • 804-693-2009 Fax • www.gmhumanesociety.org

A 501(c)(3) Non-Profit Organization

G

8303 Robins Neck Road
Gloucester, Virginia 23061

Re: 9th and M Street S.E., Animal Shelter

To Whom It May Concern:

The Gloucester-Mathews Humane Society, Inc., a 501(c)(3) non-profit, has served Gloucester, Mathews and Middlesex counties in the Middle Peninsula of eastern Tidewater Virginia since 1912. The Society opened a new facility in 2009, but has been unable to accommodate all the dogs which come to the new facility.

We are a rural location where families being faced with a move because of many military deployments drop their dogs or turn them in to the pound. For a community faced with hunters discarding their old or injured hunting dog or just those who don't want to hunt, we needed help. The economy has increased the mounting number of animals becoming homeless.

We have had a working relationship with Wagtime since March of 2010 to augment the services which we can offer at our own shelter located in Gloucester. We have transported more than 230 dogs to Wagtime, which has fostered them and placed them into non-profit rescues and on to homes where they enrich lives. Saving these 230 dogs is only the tip of the iceberg in the number of animals saved. The shelter services provided to us by Wagtime have freed room for dogs to stay longer in our local shelters and pounds, where many are adopted in the community. Without Wagtime, our euthanasia rate could soon be 67% a year again. Right now, we are ending the year with a 5% rate.

Neither the Society, which is a non-profit organization, nor volunteers working with the dogs been asked to contribute financially for Wagtime's operation at the above-referenced property. Having Wagtime foster dogs from Gloucester at no cost to GMHS is an efficient and needed manner in which together we can provide for a desperately needed way to save more animals. Wagtime has taken numerous dogs that have required expensive medical attention.

Wagtime has been an unexpected resource for Gloucester dogs. Expansion of its operations to an additional location will no doubt save more homeless dogs.

Sincerely,



Peggy Bowditch

Volunteer and former member of the board of the Gloucester-Mathews Humane Society, Inc., and interim director in 2008-2009.

February 15, 2012

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Kristin D. Roe
1117 10th Street NW, #608
Washington, DC 20001
kroekismet@hotmail.com

April 1, 2012

Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, SE
Suite 305
Washington, DC 20003

Dear Commission Members:

I understand that you are convening a meeting this coming Tuesday, April 3, 2012, to discuss Wagtime, LLC's interest in expanding their business to your neighborhood. This letter is in support of Wagtime, and I intend to be present at the meeting as well and would be happy to speak on their behalf.

I moved into the Shaw/Logan East neighborhood in September of 2008. On my first or second walk with my dog, a nice neighbor told me about the great grooming and daycare services available at Wagtime. I was thrilled, though a bit nervous, as I'd never left my dog in the care of anyone before. The first day I took Elvis to Wagtime for daycare and a bath, I cried when I left him. The Wagtime staff members were lovely and empathetic. To my delight and surprise, Elvis (who is, like his namesake, something of a mama's boy) LOVED going to daycare. He and I developed friendships with Lisa and Ofer, as well as with many of Wagtime's staffers and patrons. We have been a part of Wagtime's extended "family" ever since.

Wagtime has helped revitalize our neighborhood in many ways. They were among the earliest businesses to bring income and new patrons to 9th Street NW, a block that still suffers the blight of many burned-out or partially-damaged buildings from the 1968 riots. Wagtime completely renovated a brownstone on 9th between M and N Streets, and their beautiful new facility now hosts 3 separate daycare areas (separated by size and temperament), a lovely grooming area, AND an upscale retail store!

In addition, Lisa and Ofer are passionate about rescuing homeless animals. They foster numerous dogs from organizations such as Rescue Angels, Lucky Dog Animal Rescue, local rural shelters in West Virginia, and the Washington Humane Society. They frequently accept animals to foster who might otherwise be euthanized - older animals, those with disabilities, etc. Even if the animal's illness makes them hard to find a home for, these unwanted animals can spend their "golden years" roaming freely around Wagtime's cageless daycare, being fed high-quality food, and being loved by the 24-hour staff. In fact, Lisa and Ofer themselves have adopted no less than 3 such dogs in the few years I've known them.

Along with their generous provision of a home for rescue dogs, Lisa and Ofer are very involved with charitable rescue organizations like WHS (who honored them for their community efforts just this past February) and the Washington Animal Rescue League. This spring marks my 4th functioning as "assistant gift bag maker" for the donations they provide for various local charitable events. Last year, they donated over 1200 gift bags to local organizations (that's in addition to the monetary donations, fostering, donations of dog and cat products for raffle or auction, etc., etc., etc.)!

I can state with confidence that a Wagtime location in your neighborhood would be nothing but a wonderful and positive addition. Please do not hesitate to contact me should you need any further information.

Best,
Kristin D. Roe

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April 10, 2012

To ANC6:

I am a D.C. resident and have been a client of WAGTIME for almost three years. WAGTIME provides daycare for the two dogs that I adopted through them. I have also boarded my dogs there when on vacation and have used the grooming services that are available.

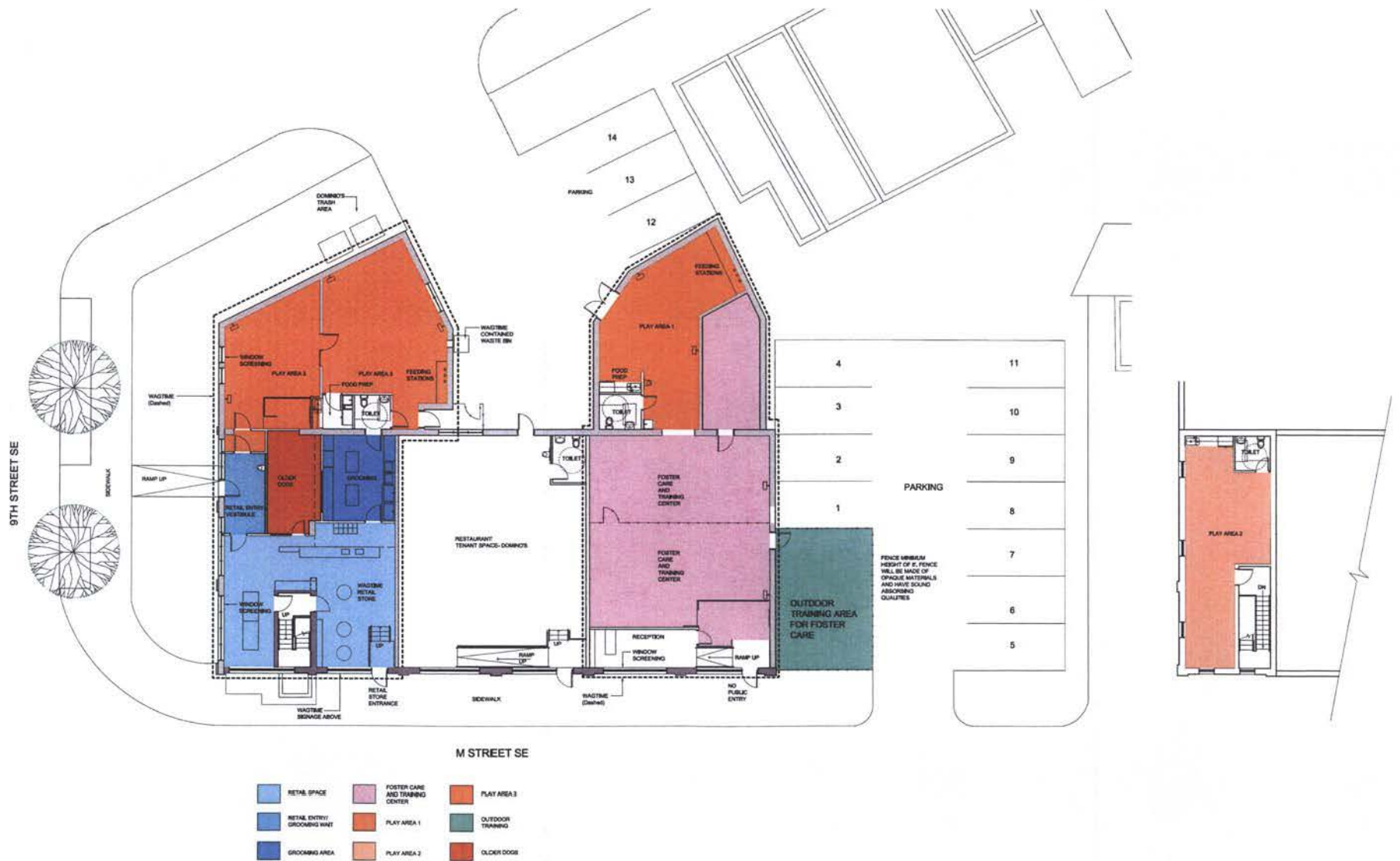
WAGTIME is an exemplary District of Columbia business in every way. The owners manage the comings and goings of many dogs in a most professional manner and are so incredibly dedicated to running a good business and providing high quality care. They attend to every detail of the operation and clearly are exceptional in their ability to attract high quality staff. In the three years that I have been a client, I have had the occasion to interact with all facets of WAGTIME and with many, many staff people. It goes without saying that it is difficult to please so many dog owners, but WAGTIME owners and staff are amazing in their ability to address all issues raised by owners about their dogs. Not once, have I been disappointed with the services I received.

Please contact me if you have any questions about my letter. I would be happy to respond. My email address is prich265@aol.com.

Sincerely,
Polly Rich
2737 Devonshire Pl., NW Apt. 406
Washington, D.C. 20008

/s/

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WAGTIME DOG DAYCARE AND SHELTER

900 M STREET SE

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OUTLINE OF TESTIMONY

LISA SCHREIBER

WAGTIME, LLC

- I. INTRODUCTION & EXPERIENCE
- II. PROPOSED USE OF THE SITE
- III. WORK WITH THE COMMUNITY
- IV. CONCLUSION

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OUTLINE OF TESTIMONY

DIRECTOR OF ZONING AND LAND USE SERVICES
HOLLAND & KNIGHT LLP
STEVEN E. SHER

- I. INTRODUCTION
- II. SITE LOCATION AND DESCRIPTION
- III. DESCRIPTION OF SURROUNDING AREA
- IV. ANALYSIS OF VARIANCE AND SPECIAL EXCEPTION RELIEF
- V. CONCLUSION