

# Holland & Knight

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Leila Marie Jackson Batties  
(202) 419-2583  
leila.batties@hklaw.com

January 14, 2013

*Via Hand Delivery*

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

Re: **Lauriol Properties LLC / Cactus Cantina**  
**BZA Application for a Portion of Lot 862, Square 152**

Dear Board Members:

On behalf of Lauriol Properties, LLC / Cactus Cantina enclosed please find one original and 20 copies of the prehearing statement for the above-referenced application. Also, for your convenience, we have enclosed one unbound copy of the filing. The application is scheduled to be heard before the Board of Zoning Adjustment on January 29, 2013.

Thank you for your considerate attention to this matter. We remain hopeful of the Board's favorable review of the application.

Very truly yours,

HOLLAND & KNIGHT LLP

By: Leila Batties  
Leila M. Jackson Batties

Enclosures

BOARD OF ZONING ADJUSTMENT  
District of Columbia  
CASE NO. 18494  
EXHIBIT NO. 30

RECEIVED  
D.C. OFFICE OF ZONING  
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Board of Zoning Adjustment  
for the District of Columbia  
January 12, 2013  
Page 2

cc: Ms. Jennifer Steingasser, Office of Planning (via hand delivery)  
Mr. Joel Lawson, Office of Planning (via hand delivery)  
Ms. Brandice Elliott, Office of Planning (via email)  
Advisory Neighborhood Commission 2B c/o Will Stephens, Chair and SMD 2B08  
(via email)

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

**APPLICATION OF  
LAURIOL PROPERTIES, LLC  
CACTUS CANTINA**

**BZA APPLICATION NO. 18494  
HEARING DATE: JANUARY 29, 2013**

**STATEMENT OF THE APPLICANT**

**I.  
NATURE OF RELIEF SOUGHT**

This Statement is submitted on behalf of Lauriol Properties, LLC Cactus Cantina (the "Applicant"), the owner of Lot 862 (also known as Lots 60-62) in Square 152, a portion<sup>1</sup> of which is the subject of this application (the "Property"). The Applicant seeks special exception approval in order to continue the use of the Property as an accessory parking lot for the Lauriol Plaza restaurant located at the southeast corner of the intersection of 18<sup>th</sup> and T Streets, NW.

This prehearing statement is submitted in accordance with Section 3113.8 of the Zoning Regulations. The information included in this prehearing statement, including the site plan attached hereto as Exhibit A, supersedes that provided in the preliminary statement and site plan filed on October 26, 2012. The revised plan depicts the valet spaces requested by ANC 2B in its unanimous vote in support of the application, with conditions, as discussed further herein, and landscaping and parking layouts that are consistent with the conditions at the site.

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<sup>1</sup> The subject property consists of record lots 60 and 61.

## II. JURISDICTION OF THE BOARD

The Board of Zoning Adjustment (the "Board" or "BZA") has jurisdiction to review and grant the requested special exception approval pursuant to Section 3104.1 of the Zoning Regulations.

## III. EXHIBITS IN SUPPORT OF THE APPLICATION

- |                   |                                                                                                    |
|-------------------|----------------------------------------------------------------------------------------------------|
| <u>Exhibit A:</u> | Site Plan                                                                                          |
| <u>Exhibit B:</u> | Portion of the Zoning Map showing the Property                                                     |
| <u>Exhibit C:</u> | Letters in support of the application                                                              |
| <u>Exhibit D:</u> | Resume of Steven E. Sher, Holland & Knight, expert witness in the area of land planning and zoning |
| <u>Exhibit E:</u> | Photographs of lighting for parking lot                                                            |

## IV. BACKGROUND

### A. Subject Property and Project Description

The Property is located on the south side of T Street, NW, east of 18<sup>th</sup> Street. Immediately to the west is the Lauriol Plaza restaurant and to the east is a row house (1778 T Street, NW). The restaurant site and the row house are owned by the Applicant. The Property is currently improved with a surface parking lot that serves as an accessory parking lot for Lauriol Plaza. The use was established on the Property in 1998 pursuant to BZA Order No. 16301 (the "1998 Approval"). The 1998 Approval was subject to a site plan that depicted a total of 20 striped parking spaces serving Lauriol Plaza -- 11 on the restaurant site and 9 on the Property, none of which were required under the Zoning Regulations for the restaurant use

since the Property is located within the Striver's Section Historic District. The 1998 Approval was also subject to the following conditions:

- Condition No. 1: Approval shall be for a period of fifteen (15) years.
- Condition No. 2: Twenty (20) parking spaces shall be provided on the lot as identified on Exhibit No. 30 of the record.
- Condition No. 3: The lot shall be attendant-controlled during its hours of operation.
- Condition No. 4: The lot shall be secured during all hours that it is not in operation.
- Condition No. 5: Landscaping shall be maintained in a healthy growing condition and have a neat and orderly appearance.
- Condition No. 6: The lot shall be cleaned daily and trash pick-up shall occur five times per week.
- Condition No. 7: Any lighting of the parking lot shall be arranged so that all direct rays are confined to the surface of the lot.
- Condition No. 8: All areas devoted to driveways, access lanes, and parking areas shall be maintained with an all-weather impervious surface paving material.
- Condition No. 9: No vehicle or any part thereof shall be permitted to project over any lot or building line or on the public space.
- Condition No. 10: Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- Condition No. 11: No other uses shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises, unless the use or structure is otherwise permitted in the district in which the parking lot is located.

As set forth in Condition No. 1, the original approval for the accessory parking lot was granted for a 15-year period, which expires on February 9, 2013, which is the basis for this application.

The Applicant seeks to continue the use of the Property as accessory parking for Lauriol Plaza, in accordance with the Plan attached as Exhibit A. The plan

depicts parking for a total of 20 vehicles on the Property and parking for 10 vehicles on the restaurant site, again, none of which are required for the restaurant use under the Zoning Regulations. Additionally, the plan depicts three valet parking spaces along 18<sup>th</sup> Street. Under the proposed valet parking scheme, customers drop off their vehicles on 18<sup>th</sup> Street and the valet parking attendants park the vehicles by turning right onto T Street and making another right to enter into the parking lot. In the event the lot is full, then cars may be taken to another parking lot owned by the Applicant at 18<sup>th</sup> and California Streets, NW. Customers will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that sometimes occurs. The permit for the valet parking operation has been applied for by the Applicant and is subject to a separate pending review and approval by DDOT.

B. R-5-B District

The Property and the surrounding parcels to the north, east and south are zoned R-5-B. The restaurant site itself, like the other properties at the intersection of 18<sup>th</sup> and T Streets, is zoned C-2-A.

R-5 Districts are General Residence Districts designed to permit flexibility of design by permitting in a single district, except as provided in §§350 through 361, all types of urban residential development if they conform to the height, density, and area requirements established for these districts. The R-5 Districts shall also permit the construction of those institutional and semi-public buildings that would

be compatible with adjoining residential uses and that are excluded from the more restrictive Residence Districts. The R-5 Districts are divided into R-5-A, R-5-B, R-5-C, R-5-D, and R-5-E Districts. In R-5-B, a moderate height and density shall be permitted.

C. Community Outreach

The Property is within the boundaries of Advisory Neighborhood Commission ("ANC") 2B. The Applicant presented the application to ANC 2B at its regularly scheduled meeting on January 9, 2013. At that meeting, ANC 2B voted 8-0-0 to support this BZA application subject to the approval by DDOT of the valet parking operation proposed by the Applicant for three valet parking spaces along 18<sup>th</sup> Street and the Applicant maintaining the landscaping as depicted in the plan attached as Exhibit A. Additionally, the Applicant has received letters in support of the BZA application by nearby residents and property owners; copies of the which are attached as Exhibit C.

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

Pursuant to § 214.1 of the Zoning Regulations, accessory passenger automobile parking spaces elsewhere than on the same lot or part of a lot on which any principal R-1 use is permitted, except for a one-family dwelling, shall be permitted as a special exception in a Residential District if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of § 214.

The subject property complies with the requirements for special exception approval as follows:

**1. Section 3104.1:** *This section authorizes the Board to grant special exceptions as provided in the Zoning Regulations, where the Board determines such grant(s) of special exception to be in harmony with the general intent and purpose of the zone plan and which does not tend to adversely impact the use of neighboring property.*

Granting the special exception approval for the accessory parking lot is in harmony with the general intent and purpose of the zone plan and will not adversely impact the use of neighboring property. The accessory parking use was established on the Property 15 years ago. It is beneficial to the neighboring properties because it reduces the demand for on-street parking in the immediate neighborhood.

Additionally, as discussed above, in order to improve the parking operations for the restaurant, Lauriol Plaza, the Applicant has separately applied for a permit for a valet parking station along 18<sup>th</sup> Street with DDOT. Under the proposed valet parking scheme, customers drop off their vehicles on 18<sup>th</sup> Street and the valet parking attendants park the vehicles by turning right onto T Street and making another right into the parking lot, or proceeding north on 18<sup>th</sup> Street to the California Street parking lot. Customers will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed scheme would reduce or eliminate any vehicular stacking that would occur near the intersection of 18<sup>th</sup> and T Streets.



**2. Section 214.2:** *Accessory parking spaces shall be in an open area or in an underground garage no portion of which, except for access, shall extend above the level of the adjacent finished grade.*

The accessory parking lot is in an open area.

**3. Section 214.3:** *Accessory parking spaces shall be located in their entirety within two hundred feet (200 ft.) of the area to which they are accessory.*

The accessory parking lot is adjacent to the restaurant property, to the rear of the restaurant. All the spaces are within 200 feet of the restaurant.

**4. Section 214.4:** *Accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they are accessory.*

The accessory parking lot is contiguous to the restaurant property.

**5. Section 214.5:** *All provisions of chapter 23 of this title regulating parking lots shall be complied with, except that the Board may in an appropriate case under § 2303.3 modify or waive the conditions specified in § 2303.2 where compliance would serve no useful purpose.*

The accessory parking lot complies with the applicable provisions of Chapter 23, namely the following provisions of Sec. 2303.1 (a) through (f) as follows:

- (a) All areas devoted to driveways, access lanes, and parking areas are surfaced and maintained with an all-weather surface.
- (b) The accessory parking lot is designed so that no vehicle or any part of a vehicle projects over any lot line or building line. Twenty (20) valet parked vehicles can be accommodated on the Property without extending onto the parking area on the restaurant site.
- (c) No other use is conducted from or upon the premises and no structure is erected or used upon the premises.

- (d) The vehicular entrance/exit for the parking lot is not within 40 feet of the closest street intersection -- 18<sup>th</sup> and T Streets -- as measured from the intersection of the curb lines extended. The intersection is approximately 63.5 feet from the entrance of the parking lot.
- (e) The lighting used to illuminate a parking lot or its accessory building is arranged so that all direct rays of the lighting are confined to the surface of the parking lot. As shown in the photograph attached as Exhibit E, the light fixtures are mounted to the townhouse located immediately east of the Property and are positioned such that all direct rays are confined to the surface of the parking lot.
- (f) The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of 5% of the total area of the parking lot, or an area as determined by the Board for a parking lot otherwise requiring Board approval. The Applicant proposes that the landscaping be in accordance with the plan attached as Exhibit A, which is consistent with the Applicant's discussions with ANC 2B and the residents/property owners in the immediate area.

**6. Section 214.6:** *It shall be deemed economically impracticable or unsafe to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:*

- (a) *Strip zoning or shallow zoning depth;*
- (b) *Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;*
- (c) *Unusual topography grades, shape, size, or dimensions of the lot;*
- (d) *The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or*
- (e) *Traffic hazards caused by unusual street grades or other conditions.*

In this case, the restaurant site is unable to accommodate any additional surface parking. Constructing additional parking spaces on that site can only be

achieved with the construction of a below-grade parking garage, which would be economically impracticable, assuming it were even possible given the existing improvements on the site.

**7. Section 214.7:** *Accessory parking spaces shall be so located, and facilities in relation to the parking lot shall be so designed, that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.*

The accessory parking lot and related facilities are located and designed in a manner that is not likely to become objectionable to the adjoining or nearby property owners because of noise, traffic, or other objectionable conditions. As noted above, the accessory parking use complies with the applicable provisions of Section 214 and, therefore, impacts from the use to the nearby property owners are mitigated. Also, as noted above, the Applicant has filed a separate application to DDOT for a valet parking station along 18<sup>th</sup> Street at the front of the restaurant. The proposed valet parking operation would improve traffic conditions by eliminating stacking from the parking lot to the intersection of 18<sup>th</sup> and T Streets.

**8. Section 214.8:** *Before taking final action on an application for use as an accessory parking space, the Board shall submit the application to the D.C. Department of Transportation for review and report.*

It is the Applicant's understanding that this BZA application will be submitted to and reviewed by the Department of Transportation.

**VII.**  
**WITNESSES**

1. Raul Sanchez  
Lauriol Properties, LLC / Cactus Cantina  
3300 Wisconsin Avenue, NW  
Washington, DC 20016-3808
2. Guillermo Rueda, AIA  
SiRu Architects, PC  
410 Florida Avenue, NW  
Washington, DC 20001
3. Steven E. Sher  
Director of Land Use and Zoning Services  
Holland & Knight, LLP  
800 17<sup>th</sup> Street, NW  
Washington, DC 20006

**VIII.**  
**CONCLUSION**

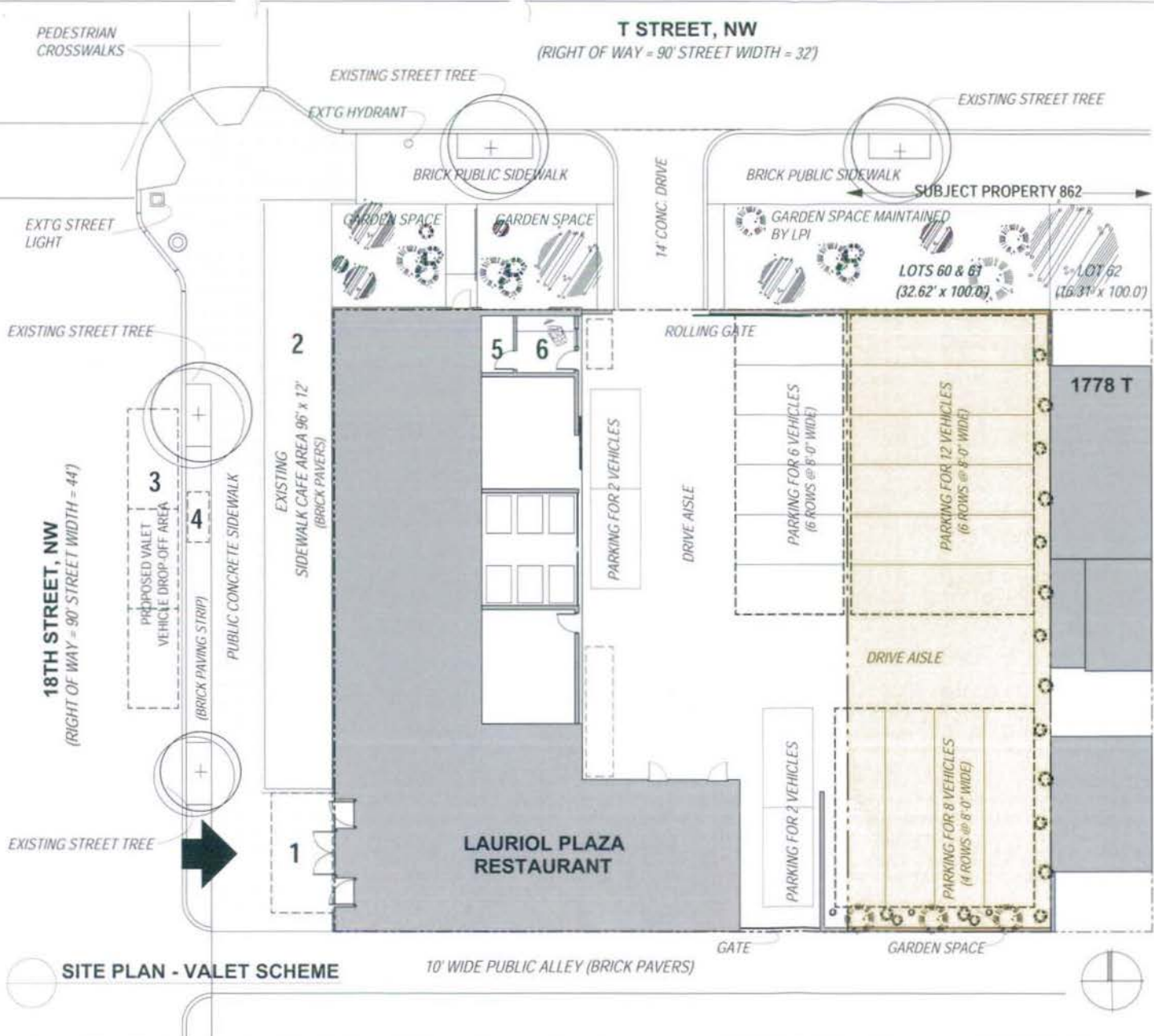
For the reasons stated above, the requested relief meets the applicable standards for the requested special exception approval for the continued use of the Property as an accessory parking lot. Accordingly, the Applicant respectfully requests that the Board approve the application.

Respectfully submitted,

HOLLAND & KNIGHT, LLP

By: *Leila Batties*  
Leila M. Jackson Batties  
Suite 1100  
800 17<sup>th</sup> Street, NW  
Washington, DC 20006  
(202) 955-3000

## **Exhibit A**



NOTE:  
THE PORTION OF LOT 862 REQUESTED  
FOR (20) ACCESSORY PARKING SPACES  
MEASURES 32.62' x 100.0' = 3,262 SF

- KEY:
1. LAURIOL PLAZA ENTRY
  2. EXISTING SIDEWALK CAFE SEATING AREA
  3. PROPOSED VALET VEHICLE DROP-OFF AREA
  4. PROPOSED VALET ATTENDANT STATION
  5. VALET OFFICE
  6. SALT STORAGE

SITE PLAN - VALET SCHEME

|              |               |              |            |
|--------------|---------------|--------------|------------|
| PROJECT NO:  | SIRU 2012-07  | DRAWN BY:    | GJR        |
| DESIGNED BY: | GJR           | REVIEWED BY: |            |
| SCALE:       | 1/16" = 1'-0" | DATE:        | 01-10-2013 |

410 Florida Avenue, NW  
Washington, DC 20001  
info@siruarchitects.com  
202-213-2825

## **Exhibit B**

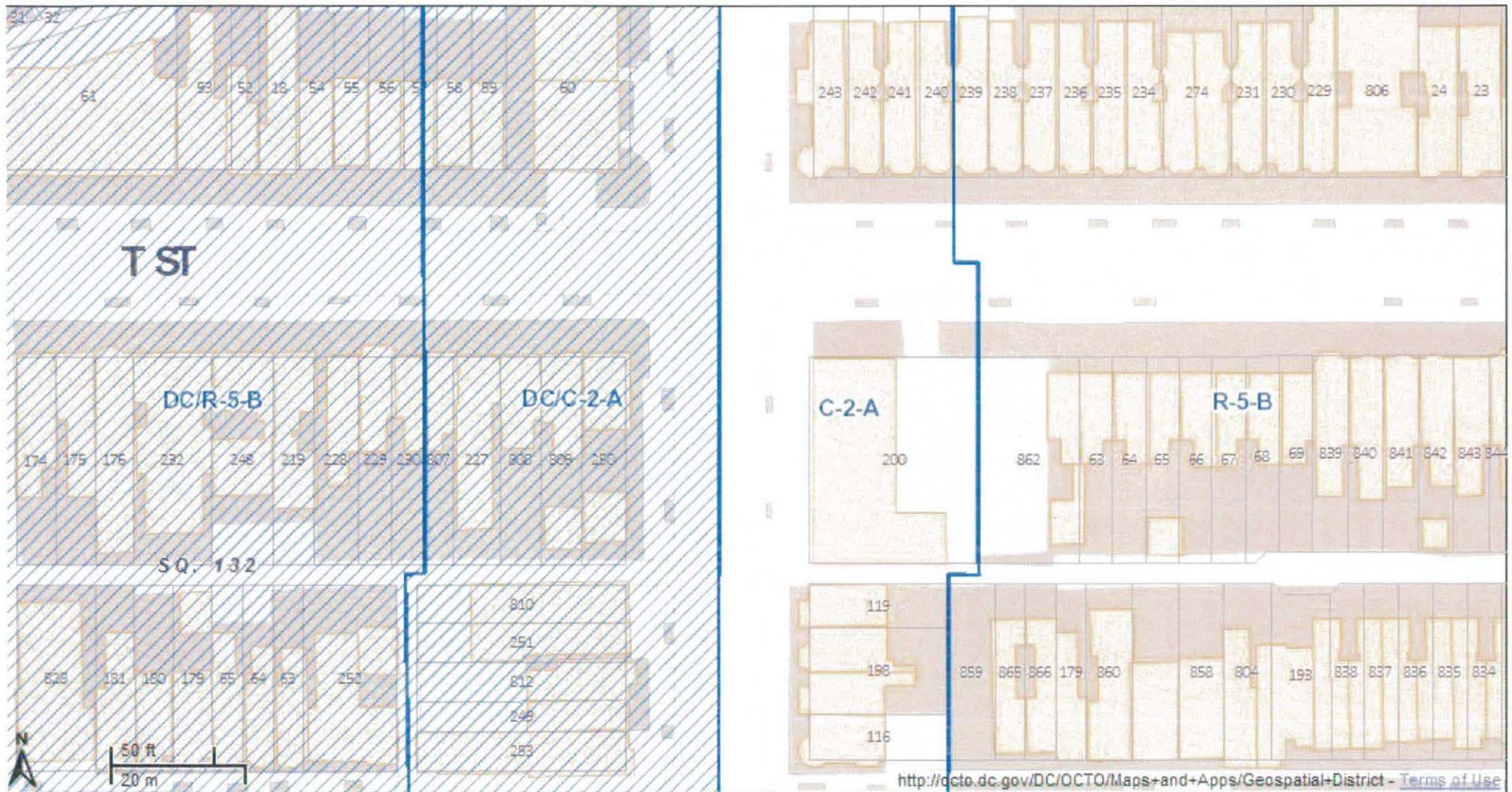




# District of Columbia Office of Zoning

## EXTRACT OF THE DISTRICT OF COLUMBIA ZONING MAP

January 10, 2013



<http://dco.dc.gov/DC/OCTO/Maps+and+Apps/Geospatial+District> - [Terms of Use](#)

### Zoning Layers

|                    |                           |              |                 |
|--------------------|---------------------------|--------------|-----------------|
| Zone Districts     | Overlays Districts        | TDRs         | Air Rights Zone |
| Pending Zones      | Pending Overlay Districts | Pending PUDs | Baist Index     |
| Historic Districts | Campus Plans              | Active PUDs  | CEA             |

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



# Exhibit C

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 210S  
Washington, D.C. 20001

**Re: Letter in Support of BZA Application No. 18494  
Lauriol Properties, LLC Cactus Cantina / 1780-1782 T Street, NW**

Dear Members of the Board:

I respectfully urge your support of the above-referenced zoning application, which seeks approval to permit the continued use of the property at 1780-1782 T Street, NW as an accessory parking lot for the Lauriol Plaza Restaurant located at the southeast corner of the intersection of 18<sup>th</sup> and T Streets (1835 18<sup>th</sup> Street, NW).

The subject property was approved as an accessory parking for Lauriol Plaza in 1998, pursuant to BZA Application No. 16301. Since that time, Lauriol Plaza has complied with the conditions set forth in the approval, namely:

- Condition No. 3: The lot shall be attendant-controlled during its hours of operation.
- Condition No. 4: The lot shall be secured during all hours that it is not in operation.
- Condition No. 5: Landscaping shall be maintained in a healthy growing condition and have a neat and orderly appearance.
- Condition No. 6: The lot shall be cleaned daily and trash pick-up shall occur five times per week.
- Condition No. 7: Any lighting of the parking lot shall be arranged so that all direct rays are confined to the surface of the lot.
- Condition No. 9: No vehicle or any part thereof shall be permitted to project over any lot or building line or on the public space.

The use of the property as an accessory parking lot does not adversely impact the surrounding neighborhood. In fact, the accessory parking is beneficial because it reduces the demand for on-street parking in the immediate neighborhood. Additionally, in order to improve the parking operations for the restaurant, Lauriol Plaza is proposing a valet parking station along 18<sup>th</sup> Street, where restaurant patrons would drop off their vehicles. The valet parking attendant will park the vehicles by turning onto T Street and entering the parking lot. Patrons will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed parking scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that currently occurs.

Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1710-1782 T Street, NW.

Sincerely,



Signature

1-10-13

Date

Rosinda Guerreiro

Printed Name

1311 18th St NW  
Washington DC 20004

Address

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
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Washington, D.C. 20001

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- Condition No. 9: No vehicle or any part thereof shall be permitted to project over any lot or building line or on the public space.

The use of the property as an accessory parking lot does not adversely impact the surrounding neighborhood. In fact, the accessory parking is beneficial because it reduces the demand for on-street parking in the immediate neighborhood. Additionally, in order to improve the parking operations for the restaurant, Lauriol Plaza is proposing a valet parking station along 18<sup>th</sup> Street, where restaurant patrons would drop off their vehicles. The valet parking attendant will park the vehicles by turning onto T Street and entering the parking lot. Patrons will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed parking scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that currently occurs.

Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1781-1782 T Street, NW.

Sincerely,

  
Signature

1/10/13  
Date

Ronald Robinson  
Printed Name

1240 18<sup>th</sup> St N.W / WDC 20009  
Address

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 210S  
Washington, D.C. 20001

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The subject property was approved as an accessory parking for Lauriol Plaza in 1998, pursuant to BZA Application No. 16301. Since that time, Lauriol Plaza has complied with the conditions set forth in the approval, namely:

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- Condition No. 6: The lot shall be cleaned daily and trash pick-up shall occur five times per week.
- Condition No. 7: Any lighting of the parking lot shall be arranged so that all direct rays are confined to the surface of the lot.
- Condition No. 9: No vehicle or any part thereof shall be permitted to project over any lot or building line or on the public space.

The use of the property as an accessory parking lot does not adversely impact the surrounding neighborhood. In fact, the accessory parking is beneficial because it reduces the demand for on-street parking in the immediate neighborhood. Additionally, in order to improve the parking operations for the restaurant, Lauriol Plaza is proposing a valet parking station along 18<sup>th</sup> Street, where restaurant patrons would drop off their vehicles. The valet parking attendant will park the vehicles by turning onto T Street and entering the parking lot. Patrons will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed parking scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that currently occurs.

Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1780-1782 T Street, NW.

Sincerely,

Salwa Chamma

Signature

01/10/2013

Date

SALWA CHAMMA

Printed Name

1821 18<sup>th</sup> St. N.W.

Address

WASH. D.C. 20009

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
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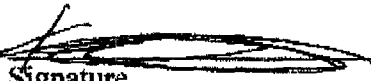
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The use of the property as an accessory parking lot does not adversely impact the surrounding neighborhood. In fact, the accessory parking is beneficial because it reduces the demand for on-street parking in the immediate neighborhood. Additionally, in order to improve the parking operations for the restaurant, Lauriol Plaza is proposing a valet parking station along 18<sup>th</sup> Street, where restaurant patrons would drop off their vehicles. The valet parking attendant will park the vehicles by turning onto T Street and entering the parking lot. Patrons will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed parking scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that currently occurs.



Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1780-1782 T Street, NW.

Sincerely,

  
Signature

01/11/13  
Date

Krista Henz  
Printed Name

1825 18th St NW WDC 20007  
Address

**Via Email: bzasubmissions@dc.gov**

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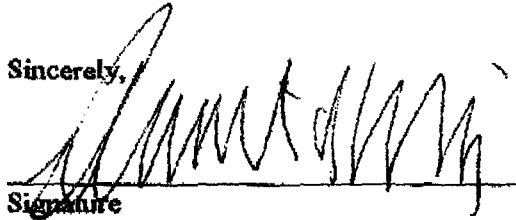
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The use of the property as an accessory parking lot does not adversely impact the surrounding neighborhood. In fact, the accessory parking is beneficial because it reduces the demand for on-street parking in the immediate neighborhood. Additionally, in order to improve the parking operations for the restaurant, Lauriol Plaza is proposing a valet parking station along 18<sup>th</sup> Street, where restaurant patrons would drop off their vehicles. The valet parking attendant will park the vehicles by turning onto T Street and entering the parking lot. Patrons will pick up their cars at the parking lot and exit by turning right onto T Street. The proposed parking scheme would eliminate the vehicular stacking near the intersection of 18<sup>th</sup> and T Streets that currently occurs.

Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1780-1782 T Street, NW.

Sincerely,

  
Signature

1-11-13  
Date

Robert F D Wing  
Printed Name

1725 T St NW #22  
Address

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 210S  
Washington, D.C. 20001

**Re: Letter in Support of BZA Application No. 18494  
Lauriol Properties, LLC Cactus Cantina / 1780-1782 T Street, NW**

Dear Members of the Board:

I respectfully urge your support of the above-referenced zoning application, which seeks approval to permit the continued use of the property at 1780-1782 T Street, NW as an accessory parking lot for the Lauriol Plaza Restaurant located at the southeast corner of the intersection of 18<sup>th</sup> and T Streets (1835 18<sup>th</sup> Street, NW).

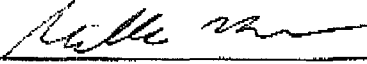
The subject property was approved as an accessory parking for Lauriol Plaza in 1998, pursuant to BZA Application No. 16301. Since that time, Lauriol Plaza has complied with the conditions set forth in the approval, namely:

- Condition No. 3: The lot shall be attendant-controlled during its hours of operation.
- Condition No. 4: The lot shall be secured during all hours that it is not in operation.
- Condition No. 5: Landscaping shall be maintained in a healthy growing condition and have a neat and orderly appearance.
- Condition No. 6: The lot shall be cleaned daily and trash pick-up shall occur five times per week.
- Condition No. 7: Any lighting of the parking lot shall be arranged so that all direct rays are confined to the surface of the lot.
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Based on the foregoing, we request that the Board approve RZA Application No. 18494 seeking the continued use of the accessory parking lot at 1780-1782 T Street, NW.

Sincerely,

  
Signature

Jan. 11. 2013  
Date

Mikko Kosonen  
Printed Name

1725 T. St. NW #22 Washington DC  
Address 20009

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 210S  
Washington, D.C. 20001

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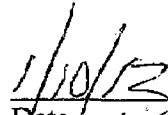
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Sincerely,

  
Signature

  
Date

  
Printed Name

  
Address

**Via Email: bzasubmissions@dc.gov**

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
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Washington, D.C. 20001

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Based on the foregoing, we request that the Board approve BZA Application No. 18494 seeking the continued use of the accessory parking lot at 1780-1782 T Street, NW.

Sincerely,

Signature



Printed Name

SUNG O. KIM

Address

1813 18TH ST. N.W.  
WASH. DC 20009

JAN 10, 2012

Date

Board of Zoning Adjustment  
441 4<sup>th</sup> Street, N.W.  
Suite 210S  
Washington, D.C. 20001

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Lauriol Properties, LLC Cactus Cantina / 1780-1782 T Street, NW**

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Sincerely,



Signature

1-11-13

Date

Carl Sura

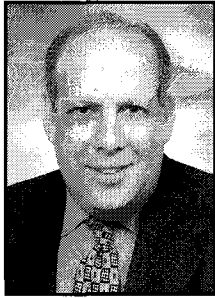
Printed Name

1808 Riggs Place, NW

Address

Washington, DC 20009

## **Exhibit D**



**Steven E. Sher**, Director of Zoning and Land Use Services, has more than 30 years' experience as the leading consultant in the Zoning Regulations and development processes in the District of Columbia. For more than 18 years, he has advised developers and property owners on the interpretation and application of development regulations and approval processes in the city. He has appeared as an expert witness in zoning and planning before the District of Columbia Zoning Commission, Board of Zoning Adjustment, Historic Preservation Review Board and the Mayor's Agent for the historic preservation act, before the Zoning Hearing Examiner and the Planning Board in Montgomery County, Maryland, and in local and federal courts. Recent major cases in which he has played a leading role include the MCI Center, the new Washington Convention Center, the residential/retail/hotel complex at 2200 M Street for the Ritz Carlton, and the planned redevelopment of the old Hecht's block at 7<sup>th</sup> and F Streets, the Station Place office development adjacent to Union Station, to be the new headquarters for the SEC, the International Monetary Fund's Headquarters II office building at 1900 Pennsylvania Avenue, the new headquarters for the U.S. Department of Transportation at the Southeast Federal Center and the redevelopment of the Capper/Carrollsborg public housing projects in Southeast using a HOPE VI grant.

For more than 14 years, Mr. Sher was employed in the various zoning and planning offices of the District of Columbia. As one of the chief technical staff persons for the Zoning Commission, he played a significant role in drafting major portions of the present Zoning Regulations, including the waterfront and mixed use (CR) districts, the regulations concerning community based residential facilities, the planned unit development regulations and the regulations governing parking and loading.

For eight years, Mr. Sher served as the Executive Director of the Zoning Secretariat. As such, he was the chief executive/operating/administrative officer for the Zoning Commission and the Board of Zoning Adjustment of the District of Columbia. Mr. Sher supervised the handling of over 1,600 cases before the Board of Zoning Adjustment and numerous rezoning, planned unit development and text amendment cases before the Zoning Commission. Matters which he assisted the Zoning Commission in resolving included the rezoning of the Dupont Circle area, the Hotel-Residential Incentive District, implementation of the Foreign Missions Act and major development cases such as McLean Gardens, Techworld, Lafayette Center and the Sumner-Magruder schools redevelopment. Mr. Sher represented the Zoning Commission and the BZA before Congress, the Council of the District of Columbia, the Mayor and other public agencies.

Mr. Sher is a member of Lambda Alpha, the honorary land economics society, and the American Planning Association. He also served on the Mayor's Commission on Downtown Housing, various task forces of the Greater Washington Board of Trade and the D.C. Building Industry Association and the Metropolitan Washington Council of Government Metropolitan Development Community Advisory Committee. He has also served as guest lecturer at various universities on planning and zoning issues.

Mr. Sher received a Bachelor of Arts in Urban Studies from Brooklyn College of the City University of New York and a Master of Regional Planning from Cornell University.

## **Exhibit E**



