

August 13, 2013

Via E-Mail Delivery

Lloyd Jordan, Chairperson
D.C. Board of Zoning Adjustment
Office of Zoning
441 4th Street, NW
Suite 210S
Washington, DC 20001
bzasubmissions@dc.gov

BOARD OF ZONING ADJUSTMENT
District of Columbia

CASE NO. 18584

EXHIBIT NO. 46

RECEIVED
D.C. OFFICE OF ZONING
2013 AUG 13 PM 2:33

Re: Supplemental Acoustic Analysis Information; BZA Application No. 18584 of Stjepan Sostaric; 1310 Pennsylvania Avenue, S.E.

Dear Chairman Jordan and Board Members:

Please see the attached supplemental report providing additional information, as requested by the Board, regarding the decibel levels in the interior of the existing City Dogs location at 1832 18th Street, NW. The report provides a graph of the average hourly decibel level throughout the course of the day at this location. It is important to note that while this information represents the typical situation at the Dupont Circle location, the acoustic engineer has concluded that even higher levels of noise will be completely mitigated at the Pennsylvania Avenue location. Furthermore, that conclusion was based on the *existing* conditions in the 1310 Pennsylvania Avenue building. In addition to the sound-mitigating nature of the masonry structure where the dogs will be kept, the Applicant has, for good measure, readily agreed to undertake all of the additional suggestions and conditions recommended by the acoustic engineer, the Office of Planning, and ANC 6B.¹

Regarding Board Members' concerns about providing a "level playing field" for this Applicant, recent approvals by the Board included (i) Wagtime at 900 M Street, which was granted approval to have shelter dogs outside, just fifty-three feet away from a residential use², and (ii) 1232 9th Street, which was permitted to have dogs playing outside all day in an area abutting a neighboring business in opposition, with no sound mitigation. In the other animal boarding use applications (all of them unanimously approved by the Board), it was sufficient for an applicant to promise to keep doors and windows closed in a masonry

¹ The structure, in the area where the dogs will be kept, is made of cinderblock walls with solid metal doors and no operable windows, and will be reinforced further per the acoustic engineer's recommendations.

² ANC 6B used its experience with Wagtime's operation at 900 M Street in unanimously recommending approval, and in crafting its proposed conditions, for this Application.

structure. This Application is the first of its kind to provide an acoustic study and professional recommendations for sound mitigation. Based in part on the results and recommendations of that study, but even more so because of the other factors noted above and in the Applicant's testimony, the Applicant believes that its Application is more than compatible with the Board's past decisions. For these reasons, the Applicant respectfully requests approval under the conditions recommended by the Office of Planning and ANC 6B.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin P. Sullivan". The signature is written in a cursive, flowing style.

Martin P. Sullivan

cc: Nichole Opkins, ANC 6B
Stephen Mordfin, Office of Planning
Kinley Bray, Esq., attorney for the party opposition

Enclosure

Jesse Heier & David Liedman

City Dogs
1832 18th St NW
Washington, DC 20009

Aug 8th 2013

Project: City Dogs - 1310 Pennsylvania Avenue SE, Washington DC, 20003

Re: Acoustical Analysis of Dogs at City Dogs at Dupont Circle Location

Prepared by: Matthew V. Golden, MS Acoustics, LEED AP

This report summarizes our acoustical analysis of the noise level of the dogs that are cared for in the lower room of the City Dogs facility at Dupont Circle, Washington DC.

A Norsonic Nor140 sound level meter was placed on a shelf in the lower room of the Dupont Circle City Dogs facility. This room is used to care for larger dogs during the day. For that reason, the sound level is only reported from 8am to 8pm. Measurements were conducted on Aug. 5th, 2013.

Figure 1 shows the hourly energy average sound pressure level (LAeq) in decibels (dB re 20 μ PA).

As stated in my previous report dated July 3rd 2013, the occupants in the abutting properties will not hear any noise from the dog holding area at the proposed location.

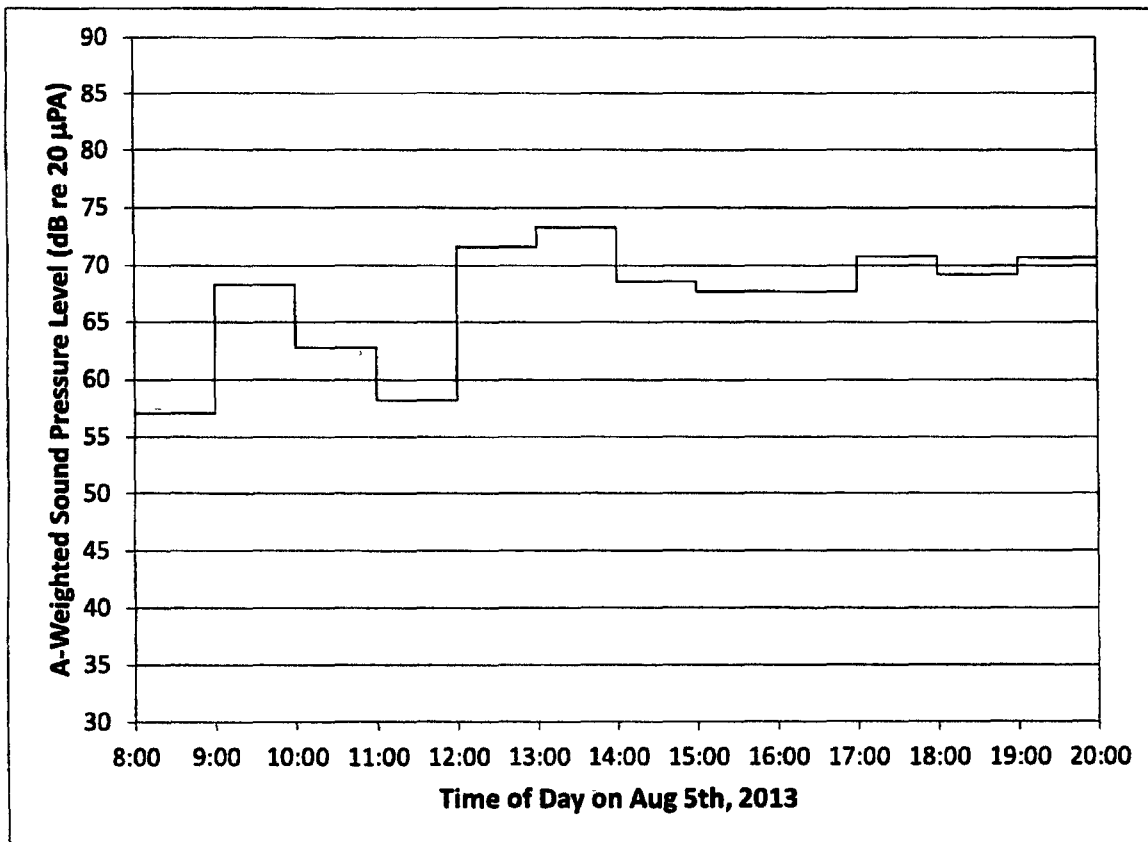


Figure 1: Hourly Energy Average Sound Pressure Level of Dogs Cared for in Lower Room of City Dogs, Dupont Circle

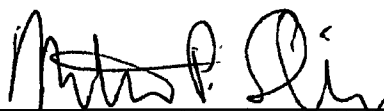
CERTIFICATE OF SERVICE

I hereby certify that on August 13, 2013, a copy of this submission was delivered to the following, via mail:

Nichole Opkins, SMD 6B-06
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Nichole6B06@anc6b.org

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Martin P. Sullivan