



A CONDOMINIUM

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

**Appeal of 22 West, A Condominium
And Advisory Neighborhood
Commission 2A**

**BZA APPEAL NO. 18793
Public Hearing: September 30, 2014**

**Testimony of 22 West
on BZA Appeal No. 18793**

Good morning Chairman Jordan and members of the Board. For the record, I am Sally Blumenthal, President of the Board of Directors of 22 West, which is located directly across the street from the Hilton Garden Inn. 22 West is the only residential property in full view of the illuminated sign that has been mounted at the top of the façade of the hotel, in violation of the explicit language of the Zoning Order which stated that “the hotel sign shall be above the hotel’s entrance on 22nd Street . . . and that the sign cannot be at a different location, or be vertically mounted on the façade of the hotel or illuminated from within.”

The Board may wonder why there was such strong opposition to this sign by both 22 West and the ANC during the PUD approval process for this project as well as our readiness to file our appeal with the BZA of the Zoning Administrator’s erroneous decision that it was permitted in his interpretation of the Zoning Order in this case. Simply stated, we believe that the presence of illuminated roof level signs is detrimental to the character of our neighborhood and that unlike other neighborhoods that are afforded the protection of the Historic Preservation Review Board, Commission of Fine Arts or the National Capital Planning Commission to ensure compatible

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development and preclude such visual intrusions, the residents of the West End must rely on our ANC, the Zoning Commission or the BZA to protect our interest in not seeing the West End transformed into something akin to the area surrounding the Verizon Center with its myriad of lighted signs. If the roof level Hilton Garden Inn sign is allowed to remain in place, it will simply become the precedent for the next commercial development to install a similar sign.

22 West actively participated in the Zoning Commission review process for this project. We reviewed the architectural plans prepared by Shalom Barones Associates and met with the Office of Planning to discuss our concerns prior to the Commission's hearing. While we were satisfied that those plans only depicted a single sign above the entrance to the hotel on 22nd Street, nevertheless we proactively included our position relative to signage in our October 24, 2011 comments to the Zoning Commission which stated:

The October 7, 2011 PUD Modification Submission prepared by Shalom Barones depicts at pages A1 and A2 a "Hilton Garden Inn" above the entrance on 22nd Street with a note that the 'design, location, and dimensions' of the signage is illustrative only and that the final signage will comply with D.C. Construction Code requirements. While the illustrative sign may be acceptable, we oppose any signage that is a different location, larger, vertical, or illuminated from within in the manner of the signs for the Marriott or Embassy Suites on 22nd Street and not made a condition of approval of any PUD.

At the Zoning Commission hearing, the developer testified that while they sought to design a building that "fit in well with the community," Hilton is a large organization with brand standards for signage and that they required some flexibility to accommodate Hilton's branding requirements. Furthermore, the applicant's proposed order in this case contained no limitation on hotel signage although it did state that the "proposed signage for the hotel will be of high quality, and the location and dimensions of the signage will comply with the applicable D.C. Construction Code requirements."

The ANC on the other hand, supported the opposition of 22 West to a lighted sign at the top of the hotel façade and requested that the Zoning Order include a specific condition that the sign "should be above the hotel's entrance on 22nd Street, NW as shown on pages A1 and A2 of the October 7, 2011 PUD

Modification Submission prepared by Shalom Barones Associates and cannot be at a different location, larger or vertically mounted on the façade of the hotel or illuminated from within”

In its Order of November 28, 2011, the Zoning Commission conditioned its approval of this PUD by stating that “the hotel sign shall be above the hotel’s entrance on 22nd Street . . . and that the sign cannot be at a different location or be vertically mounted on the façade of the hotel or illuminated from within.” We believe that this limitation was in direct response to the ANC, the community and 22 West, the neighbor most directly impacted by a lighted sign on the façade and that the intention of the Zoning Commission could not have been clearer that this hotel would only have one sign located at the pedestrian level.

In conclusion, let me say that you can only imagine our consternation when in late 2013, it became apparent that a rooftop sign was being installed on the hotel façade. Relying on the explicit language of the Zoning Order, there would have been no reason for 22 West to have gone rummaging through the DCRA building permit files to discover that the Zoning Administrator was not enforcing the Zoning Order but had instead made a determination that this sign was, in fact, permitted by the Zoning Order. Therefore, we respectfully urge the Board to revoke the sign permit and order that the rooftop sign on the façade of the hotel be removed because it violates the specific language of Condition 1A of the Zoning Commission’s Order in this case.

Thank you for your consideration in this matter.

**Sally Blumenthal
President, Board of Directors
22 West, A Condominium**