



**ADVISORY NEIGHBORHOOD COMMISSION 2F**  
**Government of the District of Columbia**  
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November 10, 2014

Board of Zoning Adjustment  
441 4th Street, NW  
Suite 210S  
Washington, DC 20001

Re: 90 & 91 Blagden Alley NW  
Variance Relief

Dear Members of the Board:

Please be advised that ANC 2F, at its regularly scheduled October 1, 2014 public meeting, at which a quorum was present and voting throughout, voted to support the following variance and special exception requests for 90 & 91 Blagden Alley NW:

1. Side yard variance for 91 Blagden Alley;
2. Open court variance for 90 Blagden Alley;
3. Lot occupancy variance for the first floor of 90 Blagden Alley; and
4. Special exception for multiple penthouses and related setback requirements for both 90 & 91 Blagden Alley.

In addition, at its regularly scheduled November 5, 2014 public meeting, the ANC voted to support the applicant's request for complete parking relief at both 90 & 91 Blagden Alley.

The applicant first reached out to the ANC about this project in the spring of this year to brief the commission on the proposed plan for the site, solicit feedback, and to initiate a conversation about the way forward. The timing of this communication is important as it was done without the specter of an upcoming HPRB or BZA hearing date, but rather as a genuine effort to actively engage the community in the future of this long vacant site. Since that time the applicant's plan for the site has evolved, and in our view improved, based on feedback offered by the community and ANC. This level of partnership and engagement has helped the ANC better understand and become more comfortable with the applicant's plan for the site and to ultimately support the requests for relief.

The most difficult request made by the applicant is for complete relief from providing any kind of parking associated with the project. Both the ANC and its Community Development Committee gave serious and deliberative consideration to this request, passing the other requested variances in October, but deferring the parking issue until November in order for the applicant to respond to the commission's requests for additional information and a parking remediation plan. These requests formed the basis of the applicant's Proposed Conditions of Approval (see attached), which were instrumental in winning the ANC's support.

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The very nature of the planned use of the development – as a fully furnished residential building composed largely of studio apartments that are subject to short term leases – makes it unique among projects requesting this extent of parking relief. The applicant has gone to great lengths to underscore that the type of tenant envisioned for this development will be one who arrives with only a suitcase and toothbrush and will have no need for a car or an associated parking space. Indeed, the applicant has taken a number of steps to illustrate this point and to bind the project to that conclusion, including having the address of the project listed on Blagden Alley, thus making all future tenants ineligible to receive a residential parking pass or a visitor's parking pass. In addition, the applicant has committed to paying for the installation of a new Capital Bikeshare station within immediate proximity to the building, providing both Bikeshare and car share memberships to new residents for the life of the project, and establishing a detailed loading and delivery management plan that will minimize disruption to the surrounding community. The ANC's support of the parking variance request was ultimately based on the applicant's good faith approach to partnering with the community to meaningfully address concerns, the unique nature of the project, and the concessions outlined above.

Based on its assessment of the facts, the ANC is of the opinion that the applicant's requests for relief meet the standard<sup>1</sup> articulated by the District of Columbia Court of Appeals in *Capitol Hill Restoration Society v. District of Columbia Bd. Of Zoning Adjustment*, 534 A.2d 939, 941 (D.C. 1987). The Commission finds that there is no substantial detriment to the public good or adverse impact to the Zone Plan and that the proposed development will substantially improve the use of the land. The ANC therefore urges the BZA, pursuant to District of Columbia Code §1-309.10, to accord great weight to its advice and grant the above referenced variance relief, pursuant to §3103.2 of the Zoning Regulations (11 DCMR §3103.2).

Sincerely,



Walt Cain  
Vice Chairman  
ANC 2F

CC: ANC 2F Executive Director  
Brook Katzen, SB Urban  
Cary Kadlecik, Goulston & Storrs

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<sup>1</sup> "An applicant must show, first, that the property is unique because of some physical aspect or "other extraordinary or exceptional situation or condition" inherent in the property; second, that strict application of the zoning regulations will cause undue hardship or practical difficulty to the applicant; and third, that granting the variance will do no harm to the public good or to the zone plan."

**BZA Case Nos. 18852 & 18853 – 90 & 91 Blagden Alley NW**

Proposed Conditions of Approval

1. Prior to the issuance of a Certificate of Occupancy for the building, the Applicant shall:
  - A. Record an easement in the land records for 91 Blagden Alley NW that will preserve the six-foot side yard along the alley for pedestrians and prevent future development in that area; and
  - B. Pay the cost of installing a new Capital Bikeshare station (27 docks and 14 bikes), and one year of its operating expenses, within ¼ mile of the project site at an exact location to be determined by DDOT.
2. The Applicant shall implement a transportation demand management (TDM) plan that includes the following:
  - A. Designate a Transportation Management Coordinator (TMC) to disseminate information to tenants.
  - B. Notify residents they are not eligible for a Residential Parking Permit (RPP) and include a provision in all leases that residents are not eligible for RPP.
  - C. Provide information to the following services on the property management website:
    - (i) Capital Bikeshare,
    - (ii) Car-sharing services (ZipCar, Enterprise Carshare, Car2Go, etc.),
    - (iii) Uber,
    - (iv) Ridescout,
    - (v) DDOT's DC Bicycle Map,
    - (vi) goDCgo.com,
    - (vii) WMATA,
    - (viii) Commuter Connections Rideshare Program,
    - (ix) Commuter Connections Guaranteed Ride Home, and
    - (x) Commuter Connections Pools Program.
  - D. Provide an electronic display in a building common area to provide public transit information.
  - E. Offer covered and secure bike parking facilities for at least 42 bicycles.
  - F. Provide a bicycle repair facility near the bike parking.
  - G. Provide Capital Bikeshare memberships to new residents without bikes for the life of the project.
  - H. Provide at least 10 shared bicycle helmets for use by the residents.

- I. Provide car-share memberships to new residents for the life of the project.
- J. Host an annual bicycle training event conducted by the Washington Area Bicycle Association or similar organization for residents.

3. The Applicant shall implement a loading and delivery management plan that includes the following:

- A. A member of the property management team will be designated as the loading coordinator, who shall be responsible for coordinating the limited loading activities in the building and informing residential tenants of the guidelines and procedures for loading and delivery operations.
- B. Because units will be fully furnished, tenants will arrive and depart by taxi/Uber/car service. In the rare event that tenants will need temporary parking for more than brief arrival and departure loading and unloading, such tenants will be required to notify, at least three weeks in advance, the loading coordinator before moving in or out so that the loading coordinator can assist in the establishment of curb-side loading consistent with DDOT policies and procedures.
- C. The project shall include a clearly marked package delivery room accessible to delivery vendors directly from 9<sup>th</sup> Street. The property management team shall direct all private courier services (UPS, FedEx, DHL, Peapod, etc.) to park in the provided loading spaces on 9<sup>th</sup> Street, and to observe signs which applicant shall post and maintain on and near the building entrance in the alley stating, "NO DELIVERY PARKING. DELIVERY PARKING ONLY IN LOADING SPACES PROVIDED ON 9<sup>TH</sup> STREET. DELIVERIES MAY BE LEFT AT PACKAGE DELIVERY ROOM ON 9<sup>TH</sup> STREET."

4. All trash pickup will occur from M Street. No trash containers shall be kept outside of the building. Trash haulers shall bring the trash containers outside when they arrive for pickup, and the trash haulers shall return the trash containers to inside the building once they have collected the trash.