



**ADVISORY NEIGHBORHOOD COMMISSION 2F**  
**Government of the District of Columbia**  
**5 Thomas Circle, NW, Washington, D.C. 20005**  
**Telephone: (202) 642-3168 [www.anc2f.org](http://www.anc2f.org)**

## Commissioners

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**2F02 Walt Cain, Vice Chairman** **2F06 Greg Melcher, Treasurer**  
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Adam Beebe, *Executive Director*

December 10, 2014

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

Re: 90 & 91 Blagden Alley NW – BZA Case Nos. 18852 & 18853  
Variance and Special Exception Relief (AMENDED LETTER)

Dear Members of the Board:

Please be advised that ANC 2F, at its regularly scheduled October 1, 2014 public meeting for which proper notice was given and at which seven (7) commissioners were present (five (5) constitutes a quorum) and voting throughout, voted 6-0-1 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 for which proper notice was given and at which seven (7) commissioners were present, the ANC voted 4-3-0 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

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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.

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

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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."

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cc: (Via Email only)  
ANC 2F Executive Director  
Brook Katzen, SB Urban  
Cary Kadlecik, Goulston & Storrs