

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202 955 3000 | F 202 955 5564
Holland & Knight LLP | www.hklaw.com

Jemal's 9th Street Gang of 3, LLC
BZA No. 18905
Proposed Conditions

- 1 Loading for the Property shall be restricted as follows:
 - a. Loading hours shall be restricted to 7.30 AM to 4 PM Monday through Friday and 10 AM to 4 PM on Saturdays and Sundays, excluding trash service
 - b. No delivery trucks over 30 feet will be allowed to make deliveries in the alley, with the exception of construction vehicles
 - c. Delivery vehicles shall enter Blagden Alley from N Street only.
- 2 The Applicant agrees to work with ANC 2F to establish a process for regularly monitoring the circulation and loading operations of Blagden Alley and, to the extent necessary, establishing a comprehensive circulation and loading management plan for the alley.
3. Valet parking will be available for the restaurant uses within the project that will provided curbside along 9th Street and not within Blagden Alley The valet parking company will be prohibited from parking vehicles within Blagden Alley and will utilize off-street parking locations in the vicinity of the development.
- 3 Employees of the project shall be prohibited from parking vehicles in Blagden Alley
4. The project shall provide at least six long-term covered and secure bicycle parking spaces and ten short-term bicycle spaces for the proposed office uses on the Property, as set forth in the DDOT recommendation



Where DC Comes Together

March 6, 2015

LLOYD JORDAN
CHAIRPERSON
BOARD OF ZONING ADJUSTMENT
GOVERNMENT OF THE DISTRICT OF COLUMBIA
441 4TH ST NW STE 210S
WASHINGTON DC 20001

Dear Chairperson Jordan

Shaw Main Streets, Inc. is pleased to support Douglas Development's Board of Zoning Adjustment application 18905 for relief related to the Gang of Three development at 1216-1226 9th Street, NW (Square 368, Lot 174)

As a nonprofit with both historic preservation and economic development in its mission, Shaw Main Streets has spearheaded the neighborhood's renaissance for the past 12 years. We are proud of the dramatic changes we have helped make in central Shaw, several of which have been Douglas Development projects.

The block in question has been one that, until recently, had not enjoyed the level of investment and redevelopment that many others have enjoyed. A number of empty lots and significantly deteriorated historic buildings made it necessary for this block to be one of the last to transition. Now, with several residential and mixed use developments completed and others awaiting construction and underway, the Gang of Three and an infill building in the alley are the last remaining elements awaiting approval.

In undertaking this project, Douglas Development is to be commended for undertaking what other developers would likely have walked away from. The three buildings on the site were in very poor condition, ill-configured and unsuitable for modern use, and the subject of several failed redevelopment schemes proposed by previous owners. The redevelopment of these properties, currently underway, is a tribute to Douglas Development's philosophy of building upon a neighborhood's historic fabric and listening to and delivering on the community's wishes.

The zoning relief sought is justified because the combination of uses proposed by the developer perfectly matches the neighborhood's needs and will complement and support other development on the square and neighboring blocks. By the end of 2016, there will be over 2,000 more units of housing in central Shaw than there were in 2005. Combined with the retention of almost all of the affordable housing in the neighborhood, these new units represent a substantial housing component. Additional housing is not prioritized in the neighborhood's needs. But space for restaurants, specialty bars, and office space are among the most eagerly sought real estate in the area.

Over the course of the past 12 years, Shaw Main Streets has conducted numerous surveys of the types of businesses neighborhood residents are most eager to see open along 7th and 9th Streets, NW. Every poll has indicated that restaurants of all types are the number one most desired business type, with specialty bars in the top 10 preferences.

The demand for small office spaces in central Shaw is high, and there is limited availability and high occupancy. Indeed, Shaw Main Streets has had difficulty finding office space in the neighborhood. Our own office space was

created as a result of the Office of Planning and BZA's instructions to the developer that a floor of proposed residential instead be commercial space, at a time when there was very little demand for office space in the neighborhood. The additional office space created by this project will be not only accommodate new businesses, but will generate additional daytime foot traffic on the block, supporting current and future retail activity.

The restrictions imposed on buildings located in historic districts, like the ones at 1216-1226 9th Street, NW, make it both necessary and desirable to maximize the usable square footage available through additions sensitive to the historic fabric, and to waive parking requirements. The costs involved in redeveloping the buildings in question for continued commercial use would be completely prohibitive if the requirement to provide parking for a project on such a small footprint in a historic district is not waived. The BZA recently approved a significant new residential development on the same square with no parking requirement, a much more significant waiver than what is requested for the Gang of Three project.

We would also like to correct information included in the applicant's prehearing statement related to 1240 9th Street, NW, cited as an adjacent property. The statement indicates that it "is vacant, but expected to have ground floor retail." The building is currently fully occupied, with a graphic design studio on the second floor and a bar located on the first floor.

Shaw Main Streets and the community are eager to see the Gang of Three project completed and occupied by the types of tenants proposed by the developer. Please do not hesitate to contact us if you have any questions related to our support for this project and the zoning application before you.

Sincerely,



Alexander M. Padro
Executive Director
Shaw Main Streets, Inc.

Holland & Knight

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Jemal's 9th Street Gang of 3, LLC
BZA No. 18905
Applicant's Community Outreach

- December 10 – Presentation on project to ANC 2F, ANC voted unanimously to support project.
- January 23 – Certified letter to persons who filed petition in opposition to project inviting them to meeting on February 4th.
- February 3 – Hand delivered letter notifying that meeting will be rescheduled to accommodate schedule of as many people possible
- February 5 – Hand delivered letter confirming new meeting date of February 11, 2015.
- February 11 – Applicant and project team hosted community meeting to discuss background on renovations, proposed uses and mitigation of any potential impacts generated by the project.
- February 18 – Presentation at ANC 2F-06 community meeting regarding Blagden Alley; invited by Commissioner Charlie Bengel, SMD Representative for ANC 2F06 Applicant participated in the meeting to continue dialogue with neighborhood stakeholders on mitigation of any potential impacts generated by the project.
- February 19-20 – Email correspondence between Applicant and B. Schauer as follow up to meeting and additional questions and concerns about the project.
- February 24 – Applicant forwarded electronic copy of prehearing statement to B. Schauer, A Ait-Ghezala and S Mikhailov, who filed petition in opposition to application.
- February 25 – Applicant responded to email from S Mikhailov to explain basis of for requested relief from FAR and parking requirements
- March 3 – Email communication between applicant and B Schauer to schedule meeting to discuss application.
- March 6 – Shaw Main Streets, Inc issues a letter in support of the Application
- March 9 – Meeting between applicant and B Schauer to review zoning application and address any outstanding concerns before the public hearing

Letters via Certified Mail to Community – January 23, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

Gemma Sage
931 M Street, NW
Washington, DC 20001

Russell Sage
931 M Street, NW
Washington, DC 20001

Barbara Schauer
937 M Street, NW
Washington, DC 20001

Edward Horvath
929 M Street, NW
Washington, DC 20001

Carolyn Beebe
931 M Street, NW
Washington, DC 20001

Ramona Bowden
911 M Street, NW
Washington, DC 20001

George Tittman
927 M Street, NW
Washington, DC 20001

Colleen Corrigan
913 M Street, NW
Washington, DC 20001

Ahmed Ait-Ghezala
915 M Street, NW
Washington, DC 20001

Copy of each letter mailed in one envelope to:

**Charlie Bengel
Commissioner SMD ANC 2F-06
910 M Street, NW #418
Washington, DC 20001**

Holland & Knight

SAMPLE LETTER

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
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Leila M. Jackson Batties
leila.batties@hklaw.com
202 419 2583

VIA CERTIFIED MAIL

January 23, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

Re: Community Presentation
BZA Case No. 18905 / Jemal's 9th Street Gang of 3 LLC
1216-1226 9th Street, N.W. (Square 368, Lot 174)

Dear Don Lipinski:

This firm represents Douglas Development Corporation ("Douglas") in connection with the Board of Zoning Adjustment Application ("BZA") for the redevelopment of 1216-1226 9th Street, NW. Douglas is in receipt of your Party Status Request to the BZA and takes seriously the comments raised in your petition. Regretfully, we were unaware of the comments prior to the review of the application by ANC 2F.

In response to your petition to the BZA, Douglas will host a meeting on **Wednesday, February 4, 2015, from 6:30 p.m. to 8:30 p.m. at the Longview Gallery (1234 9th Street, NW)** to discuss the proposed redevelopment of the subject site and the zoning relief requested from the BZA. We value your input and hope that you will join us at the meeting to engage directly with the project team.

We look forward to seeing you on Wednesday, February 4th. In the meantime, if you are unable to attend the scheduled meeting or have any immediate questions or concerns, please do not hesitate to contact me.

Sincerely,


HOLLAND & KNIGHT LLP
Leila M. Jackson Batties, Esq.

cc Commissioner Charlie Bengel, SMD ANC 2F-06
Commissioner John Fanning, ANC 2F Chair

ZOOM MESSENGER DELIVERIES – February 3, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

Gemma Sage
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Washington, DC 20001

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Charlie Bengel
Commissioner SMD ANC 2F-06
910 M Street, NW #418
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Leila M. Jackson Batties
leila.batties@hklaw.com
202 419 2583

HAND DELIVERED

February 3, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

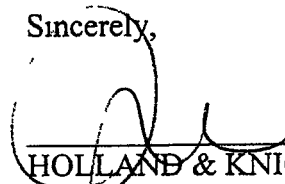
**Re: Community Presentation – RESCHEDULED (TBD)
BZA Case No. 18905 / Jemal's 9th Street Gang of 3 LLC
1216-1226 9th Street, N.W. (Square 368, Lot 174)**

Dear Don Lipinski

On January 23, 2015, we mailed a letter indicating that Douglas Development Corporation ("Douglas") would host a meeting on Wednesday, February 4, 2015 to discuss the proposed development of 1216-1226 9th Street, N W and the pending zoning application (BZA Case No. 18905). Unfortunately, a number of persons are unable to attend this meeting. In consideration of your time, **we are in the process of rescheduling the meeting to accommodate as many people as possible.** We will contact you as soon as we finalize a date, time, and location. We value your input and hope that you will join us at the meeting to engage directly with the project team.

In the meantime, if you have any immediate questions or concerns, please do not hesitate to contact me.

Sincerely,



HOLLAND & KNIGHT LLP
Leila M. Jackson Batties, Esq.

cc Commissioner Charlie Bengel, SMD ANC 2F-06

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Leila M. Jackson Batties
leila.batties@hklaw.com
202 419 2583

VIA CERTIFIED MAIL

January 23, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

**Re: Community Presentation
BZA Case No. 18905 / Jemal's 9th Street Gang of 3 LLC
1216-1226 9th Street, N.W. (Square 368, Lot 174)**

Dear Don Lipinski:

This firm represents Douglas Development Corporation ("Douglas") in connection with the Board of Zoning Adjustment Application ("BZA") for the redevelopment of 1216-1226 9th Street, NW. Douglas is in receipt of your Party Status Request to the BZA and takes seriously the comments raised in your petition. Regretfully, we were unaware of the comments prior to the review of the application by ANC 2F.

In response to your petition to the BZA, Douglas will host a meeting on **Wednesday, February 4, 2015, from 6:30 p.m. to 8:30 p.m. at the Longview Gallery (1234 9th Street, NW)** to discuss the proposed redevelopment of the subject site and the zoning relief requested from the BZA. We value your input and hope that you will join us at the meeting to engage directly with the project team.

We look forward to seeing you on Wednesday, February 4th. In the meantime, if you are unable to attend the scheduled meeting or have any immediate questions or concerns, please do not hesitate to contact me.

Sincerely,


HOLLAND & KNIGHT LLP
Leila M. Jackson Batties, Esq.

cc Commissioner Charlie Bengel, SMD ANC 2F-06
Commissioner John Fanning, ANC 2F Chair

ZOOM MESSENGER DELIVERIES – February 5, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

Gemma Sage
931 M Street, NW
Washington, DC 20001

Russell Sage
931 M Street, NW
Washington, DC 20001

Barbara Schauer
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Washington, DC 20001

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Washington, DC 20001

Ahmed Ait-Ghezala
915 M Street, NW
Washington, DC 20001

Charlie Bengel
Commissioner SMD ANC 2F-06
910 M Street, NW #418
Washington, DC 20001

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SAMPLE LETTER

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Leila M. Jackson Batties
leila.batties@hklaw.com
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HAND DELIVERED

February 5, 2015

Don Lipinski
937 M Street, NW
Washington, DC 20001

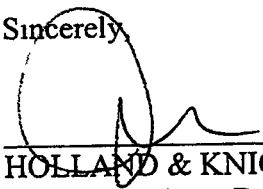
**Re: Community Presentation – Rescheduled to February 11, 2015
BZA Case No. 18905 / Jemal's 9th Street Gang of 3 LLC
1216-1226 9th Street, N.W. (Square 368, Lot 174)**

Dear Don Lipinski.

On January 23, 2015, we mailed a letter indicating that Douglas Development Corporation would host a meeting on Wednesday, February 4, 2015 to discuss the proposed development of 1216-1226 9th Street, N.W. and the pending zoning application (BZA Case No. 18905). Because a number of persons were unable to attend this meeting, we have rescheduled the meeting to **Wednesday, February 11, 2015, at 5:30p.m. at La Colombe Café, 924 Rear N. Street, N.W. (Blagden Alley)**. We sincerely value your input and hope that you will join us on Wednesday to engage directly with the project team.

In the meantime, if you have any immediate questions or concerns, please do not hesitate to contact me

Sincerely,



HOLLAND & KNIGHT LLP
Leila M. Jackson Batties, Esq.

cc Commissioner Charlie Bengel, SMD ANC 2F-06

Short Articles about Long Meetings (SALM)

Covering Advisory Neighborhood Commissions (ANCs) in Dupont Circle / Logan Circle / U Street / Shaw

Best New Local Blog: Short Articles About Long Meetings

Wednesday, February 18, 2015

1216-1226 9th Street: "Peace in the Valley" Sought over Zero Parking Building in Blagden Alley

A group of neighbors of a proposed development at 1216-1226 9th Street NW have asked DC's Board of Zoning Adjustment (BZA) for standing as an interested party in an application for zoning relief, especially for a request to reduce the number of required parking spaces from 14 to zero. As a result, the BZA has postponed a hearing on the application, originally scheduled for January 27, to March 11, while the developers and their representatives attempt to get the neighbors on board for the relief.

Toward this end, Douglas Development had a public meeting, attended by representatives of Advisory Neighborhood Commission (ANC) 2F/Logan Circle and some of the neighbors, at La Colombe Coffee (924 M Street in Blagden Alley) in the early evening of February 11.



Millstein (right) presents the project

Paul Millstein of Douglas Development started off the meeting by stating: "We always appreciate a turnout."

Millstein and Andrea Gourdine of Douglas Development were joined by attorney Leila Batties of Holland & Knight, as well as a traffic engineer, and others, six in all. This was about the same number as the neighbors who came to the meeting. Ten neighbors, all living on the 900 block of M Street, signed the BZA document asking for standing.

Millstein told the neighbors he sought "peace in the valley".

He then recapped many of the details of the project, including its prospective high-end tenants who have signed leases (including celebrity chef Jeremiah Langhorne and a new incarnation of the "award-winning" cocktail bar The Columbia Room). Millstein also explained the reason why the developers are seeking zoning relief now, after the project had started, rather than the usual order of approval first, construction second. Most of these details were unchanged from November 2014, when the developers successfully sought ANC endorsement of the zoning relief -- see SALM blog post of November 24, 2014. The full ANC endorsed the zoning relief request at its December 2014 meeting.

In reply, a neighbor made the primary concern plain.

"Parking is a nightmare," she said. This building was one of many in the area trying to get permission to build without the required parking spaces (for an example, see SALM blog post of November 10, 2014). The neighborhood would be overwhelmed by cars coming in from the suburbs to eat and drink at "destination" restaurants and bars.

"Parking enforcement is part of the problem," the neighbor said. "We want to make sure these things are addressed now."

As a negative example, the neighbors cited the case of Le Diplomate (1601 14th Street).

"There was no dialogue", one neighbor said. As a result, there were constant traffic problems caused by the Le Diplomate's valet parking service at the corner of 14th and Q Streets, the neighbor said.



Thank you to supporters!

Washington City Paper and...

"invaluable" -- Popville

"...a great addition to the local scene." -- DCBlogs

"...the blog that keeps edging into mandatory reading territory..." -- TheWashCycle

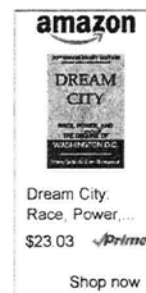
"... a blog that covers ANC meetings and therefore does God's work..." -- DCist

Contact SALM

Email: shortarticlesaboutlongmeetings@gmail.com

Facebook: [shortalongm](https://www.facebook.com/shortalongm)

Twitter: [@shortalongm](https://twitter.com/shortalongm)



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What is this blog?

This blog reports on local government meetings in Washington, D.C., often held by an Advisory Neighborhood

About the petition for standing in the zoning case, the neighbor said: "We filed because we want to make sure these things are addressed now."

Millstein urged the group to "get a collective voice", meaning, a point of contact who could negotiate on behalf of the whole group. If that happened, maybe some parking remedies could be put in wrting and agreed on.

"If you don't get parking, you can't proceed," one neighbor said.

"We're going to hammer something out," Millstein said.

Millstein also told the neighbors that customers for both Langhorne's restaurant as well as the Columbia Room would, if the proposal went ahead as planned, enter and exit through Blagden Alley, rather than through the building's front on 9th Street, which would have other tenants, including Reformation Fitness. The prospect of cocktail bar patrons exiting through the alley did not seem to please the neighbors, but there seemed to be agreement that this had to be handled as part of the liquor-licensing process (which will take place later), and not as part of the zoning process.

The neighbors were urged to act as quickly as possible, as the filings for the March zoning hearings were due on February 18.

ANC2F Commissioner Charlie Bengel (district 06), in whose ANC district the property is located, announced the meeting at the February 4 meeting of ANC2F. Bengel and ANC2F Chair John Fanning (Commissioner for district 04) attended the meeting.

The documents related to the request for zoning relief, including the petition by the neighbors for standing, can be seen by going to DC's Interactive Zoning Information System and entering case number 18905 into the search bar.

Posted by Shortarticlesaboutlongmeetings at 1:30 PM

 Recommend this on Google

Labels: 9th Street, ANC2F, Blagden Alley, BZA, zoning

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Commission" (ANC). I most frequently attend the ANC meetings close to my home. These meetings are for ANC 2F, 2B, 1B, and 6E, which cover Logan Circle, Dupont Circle, U Street, and Shaw, respectively.

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Say what happened.

Don't tell the reader what to think.

Some Links

- Wikipedia on ANCs
- ancbrigade.com
- ancfinder.org
- Official DC government site about ANCs
- Noah Smith -- Chair, ANC 2B/Dupont Circle
- Tenleytown, DC: ANCs 3E and F
- Capitol Hill Corner: ANCs 6A and B
- ANC 5C07

Blog Archive

- ▼ 2015 (45)
 - March (5)
 - ▼ February (22)
 - 14th Street Sidewalk Cafe for Slipstream Coffee
 - Columbia Heights Property Tries to "Make It Legal"...
 - Cork Market In Danger of Losing Liquor License ove...
 - All Souls Bar Meets Opposition to Outside Service
 - Liquor License Revoked for Restaurant of "Convicte...
 - 2201 P Street: Child Care Center with Three Applic...
 - Stipulated Liquor License Recommended for Calabash...

Batties, Leila M J (WAS - X72583)

From: Paul Millstein <PMillstein@douglasdev.com>
Sent: Tuesday, March 03, 2015 5 48 PM
To: Barbara Schauer
Subject: RE Re

I would love too, when are you available?

From: Barbara Schauer [mailto:schauer.barbara@gmail.com]
Sent: Tuesday, March 03, 2015 3:51 PM
To: Paul Millstein
Subject: Re: Re:

Hi Paul,
I'm wondering if you would have time to get together to talk about the Gang of Three development. I know you're busy, but if you plan to be on site this week, we could easily meet at La Coloumbe.
Best,
Barbara

On Fri, Feb 20, 2015 at 3.59 PM, Paul Millstein <PMillstein@douglasdev.com> wrote:

We have received those questions and will be responding quickly I appreciate you're concerns and realize the alley has several challenges Once all the questions are answered I am hopeful you may be able to offer some ideas on how to make the alley work better for all involved I appreciate that their residents in the alley as well as lots of commercial and believe some form of balance needs to be achieved. I think we can collectively can make it better with good dialogue. Thank you, look forward to getting together again soon

From: Barbara Schauer [mailto:schauer.barbara@gmail.com]
Sent: Friday, February 20, 2015 2.27 PM
To: Paul Millstein
Cc: Ahmed Art-Ghezala; Sergei Mikhailov; Barbara Schauer
Subject: Re.

Paul,

Thank you for meeting with us and for offering another meeting. Our concern is primarily in protecting the alley while development occurs. Your designs are beautiful and the three buildings facing 9th Street have been skillfully restored An impressive job.

We had a chat with Brandice Elliot, the OP reviewer, about several of our concerns and questions. She said she planned to pass these along to you so you could include responses in the pre-hearing statement. We look forward to reading it.

Best regards,

Barbara Schauer

On Thu, Feb 19, 2015 at 6:49 PM, Paul Millstein <PMillstein@douglasdev.com> wrote:

Good evening Barbara, I was wondering if it would be worthwhile to get together one more time to see if there's anything we could do to work out you're concerns. I'm an eternal optimist and always try to find common ground. Either way I appreciate you're time and was happy to have the opportunity to meet you in person. Please let me know what you think . Thank you!

This communication (including any attachments) shall not be binding on the sender, shall not be deemed to be the sender's agreement to enter into any contract, lease or other agreement, nor to modify any contract, lease or other agreement, is intended solely for the recipients named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication.

This communication (including any attachments) shall not be binding on the sender, shall not be deemed to be the sender's agreement to enter into any contract, lease or other agreement, nor to modify any contract, lease or other agreement, is intended solely for the recipients named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication.

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Batties, Leila M J (WAS - X72583)

From: Batties, Leila M J (WAS - X72583)
Sent: Tuesday, February 24, 2015 3 34 PM
To: Barbara Schauer; Ahmed Ait-Ghezala; Sergei Mikhailov
Cc: Paul Millstein, 'Andrea Gourdine', 'Bengel, Charlie (SMD 2F06)'
Subject: Jemal's Gang of Three / BZA Case No 18905 / Prehearing Statement
Attachments: Fully Scanned Copy of Prehearing Statement and Exhibits - BZA No 18905 - Jemal's 9th Street Gang of 3 LLC 02 24 2015.PDF

Good afternoon, Barbara, Ahmed and Sergei.

Attached please find a copy of the prehearing statement that was filed today for the above-referenced zoning application. The statement addresses the questions that you presented to Brandice Elliot at OP.

We appreciate your input on the application to date. Upon your review of the statement, please feel free to follow up with us if you have any further questions or concerns about the project.

Thanks,
Leila

Leila Batties | Holland & Knight

Partner

800 17th Street, NW Suite 1100 | Washington DC 20006

Phone 202.419.2583 | Fax 202.955.5564

leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

Batties, Leila M J (WAS - X72583)

From: Batties, Leila M J (WAS - X72583)
Sent: Wednesday, February 25, 2015 4:49 PM
To: 'Sergei Mikhailov'
Cc: Barbara Schauer; Ahmed Art-Ghezala; PMillstein@douglasdev.com; agourdine@douglasdev.com, 2F06@anc.dc.gov; Elliott, Brandice (OP)
Subject: RE Jemal's Gang of Three / BZA Case No 18905 / Prehearing Statement

Hi, Sergei

Yes, the variance request increased from 14 to 21 spaces. Originally, we calculated the parking requirement as one parking space for each 300 square feet of gross and cellar floor area in excess of 3,000 square feet, consistent with retail use in the C-2-A District per section 2101.1 of the Zoning Regulations.

The original calculation did not reflect (i) the increase in cellar floor area, which has always been proposed for the building, and results in an additional requirement of seven parking spaces, (ii) that some of the building would contain office use instead of retail use and (iii) the slightly modified square footage of the proposed building that is shown on the architectural drawings included in the February 24th prehearing submission. The parking computation now yields 21 required parking spaces. An explanation of the parking computation is included on pages 10-11 of the prehearing statement.

As for your second question --

The building is currently being constructed as a matter-of-right to an FAR of 1.48 (11,632 square feet), as permitted in the C-2-A District. This matter-of-right design includes several two-story spaces. The design proposed in the BZA application fills in these spaces, which adds approximately 4,196 square feet to the building that count toward the FAR calculation. These renovations will not increase the volume of the building.

Pursuant to section 2120.3, the matter-of-right construction currently underway does not require any parking spaces because it does not increase the original gross floor area of the historic structures by more than 50%. Originally, the floor area of the buildings had a total of 8,723 s.f. The current matter-of-right construction increases the floor area from 8,723 s.f. to 11,632 s.f., which represents an increase of approximately 33%.

The proposed construction increases the floor area of the structures from 8,723 s.f., originally, to 15,828 s.f., which represents an increase of approximately 81%. This increase surpasses the 50% threshold, thus requiring the applicant to provide parking.

The current building permit covers only the original 11,632 square feet.

Hopefully, this information is helpful. Please let us know if you have additional questions or concerns.

Thanks,

Leila

Leila Batties | Holland & Knight

Partner

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From: Sergei Mikhailov [mailto:sergei.s.mikhailov@gmail.com]

Sent: Tuesday, February 24, 2015 11:27 PM

To: Batties, Leila M J (WAS - X72583)

Cc: Barbara Schauer; Ahmed Ait-Ghezala; PMillstein@douglasdev.com, agourdine@douglasdev.com; 2F06@anc.dc.gov; Elliott, Brandice (OP)
Subject: Re: Jemal's Gang of Three / BZA Case No. 18905 / Prehearing Statement

Ms. Batties,

I scanned the document briefly and have the following two questions:

- 1) The pre-hearing statement mentioned 14 parking spaces, while this document mentions 21 spaces. Did the request increase from 14 to 21?
- 2) The OP did not fully convey our question to you. From the looks of it, the envelope of the building is mostly completed. No variances were obtained so far for this project, so we assume it was done matter of right. As you say on page 4, in Project Description, the proposed expansion is from 11,632 to 15,828 or only ~4k sqft. We are unclear how this small increase resulted in all this additional parking requirements. Does the current building permit cover the original 11,632 sqft of the building which is now being expanded to 15,828.

Thank you.

On Tue, Feb 24, 2015 at 3:34 PM, <Leila.Batties@hklaw.com> wrote:

Good afternoon, Barbara, Ahmed and Sergei.

Attached please find a copy of the prehearing statement that was filed today for the above-referenced zoning application. The statement addresses the questions that you presented to Brandice Elliot at OP.

We appreciate your input on the application to date. Upon your review of the statement, please feel free to follow up with us if you have any further questions or concerns about the project.

Thanks,

Leila

Leila Batties | Holland & Knight

Partner

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