

April 11, 2015

**Via E-mail: [anc2Foffice@gmail.com](mailto:anc2Foffice@gmail.com)**

Advisory Neighborhood Commission 2F

5 Thomas Circle, NW

Washington, DC 20005

Re: Jamal's 9<sup>th</sup> Street Gang of 3, LLC. BZA Case No. 1805/Notice of Amended Parking Relief

Dear Members of ANC 2F:

We are writing as a Party opposing the parking relief sought by the Jamal's 9<sup>th</sup> Street Gang of 3 in the development at 1216-1226 9<sup>th</sup> Street.

On December 15, 2014, ANC 2F issued a letter in support of the project as it was originally proposed. The letter was based on a December 10<sup>th</sup>, 2014 meeting where the ANC voted unanimously to support the parking FAR variance requests associated with the Gang of 3 development.

At that time, the ANC was told the developer was asking for relief for 14 parking spaces. Since then, the developer has changed plans and is now requesting relief for 21 parking spaces (50% increase.) In addition to the 61 parking space relief recently granted to SBUrban for a development immediately adjacent to the Gang of 3 development, it is clear this additional relief will cause substantial detriment to the public good by worsening an already problematic parking situation in the neighborhood. The fact that the applicant has an empty lot that is less than 40 ft from the proposed development inside Blagden Alley that could easily meet the 21 parking spot requirement and that they are not proposing to use for above ground parking should be seriously questioned.

Additionally the proposed FAR increase will actually push the development into a different zone altogether. The zone plan of Blagden Alley is outlined in Zoning Commission Order No. 782 of 1994. The area was rezoned to C-2-A from R-4 to encourage development while protecting the residential and historic nature of the ally and the rest of the square. The Zoning Commission's intent was very clear in restricting development to low and medium density C-2-A to protect a very unique area from over-development. In fact, even the proponents of rezoning were in favor of recording covenants to restrict the allowable matter of right uses, essentially making this square a scaled down version of C-2-A, "... property owners....would sign a covenant proposing the restriction of matter of right uses to those compatible with residential surroundings."

Allowing a variance to take the FAR from 1.47 to 2.07 essentially allows C-3-A high density commercial development in a low/medium density C-2-A zone thus having a seriously adverse impact on the Zone Plan.

Pursuant to District of Columbia Code §1-309.10, we realize that the BZA accords great weight to the ANC's advice. We therefore respectfully request that the ANC retracts the supporting letter, inform the BZA of the retraction and ask the developer to do the same from its application to the BZA until at least another vote is held on the matter. Because the decision hearing on BZA case 18095 is on April 28<sup>th</sup>, 2015, we respectfully ask that you address this matter in the next ANC meeting or request the BZA to postpone their decision until the ANC has discussed this issue in a public meeting.

Additionally, the Party in Opposition presented arguments against the zoning variance request in a hearing before the BZA. These are attached for reference.

Thank you for your consideration in this matter.

Sincerely yours,

Gang of 3 Opposition Party

Represented by Ahmed Ait-Ghezala and Barbara Schauer

Cc:

Commissioner John Fanning, Chair (via email: [johnfanning2@yahoo.com](mailto:johnfanning2@yahoo.com))

Commissioner Charlie Bengal, SMD ANC 2F-06 (via email: [2F06@anc.dc.gov](mailto:2F06@anc.dc.gov))

Board of Zoning Adjustment (via email: [bzasubmissions@dc.gov](mailto:bzasubmissions@dc.gov))