

Lyle M. Blanchard
lmb@gdllaw.com

Kate M. Olson
kmo@gdllaw.com

February 9, 2015

VIA IZIS

Mr. Lloyd Jordan, Chairperson
D.C. Board of Zoning Adjustment
One Judiciary Square
441 4th Street N.W.
Second Floor
Washington, D.C. 20001

Re: **BZA Case 18916**
49th Street Developers, LLC ("Applicant")
Supplemental Submission
Square 5348, Lots 1-8 (New Lots A-V) ("Property")

Dear Chairperson Jordan and Members of the Board:

This submission is to update the Board on the Applicant's response to reports submitted into the record by the D.C. Office of Planning ("OP") and the D.C. Department of Transportation ("DDOT"). In addition, the Applicant wants to update the Board on the special ANC meeting, which took place over the weekend.

The Applicant respectfully requests the Board waive its prehearing filing requirements of 11 DCMR § 3113.8 for good cause shown. Specifically, this update could not reasonably be submitted prior to: the Applicant's review of the Reports from OP and DDOT and the occurrence of the special ANC 7E community meeting held on Saturday, February 7th.

I. OFFICE OF PLANNING

The OP Report, dated February 3, 2015, recommended approval of the special exception request subject to the Applicant providing the following information:

A. Location of areas where pervious pavers would be used;

Attached is the Green Area Ratio Plan and Score Sheet which depicts the proposed location of the permeable paving. See (**Exhibit A**). The Applicant will comply with the required GAR score of 0.40 but the Applicant requests flexibility from the BZA as to the final location of

Chairperson Lloyd Jordan
February 9, 2015
Page 2

the permeable pavement and design of the landscaping to allow for the project to be further developed.

B. Labels on plans indicating the materials to be used; and

Attached is the plan showing typical exterior materials. See, **Exhibit B.**

C. Information as to whether the area of the optional balconies is included in the lot occupancy calculations.

Attached are the revised townhouse plans. See, **Exhibit C.** The Applicant decided to remove the optional balconies from the townhouses.

II. DEPARTMENT OF TRANSPORTATION

The DDOT Report, dated February 3, 2015, stated that it cannot support the special exception request until a CTR has been submitted and reviewed. Attached is the Applicant's response. See, **Exhibit D.**

III. COMMUNITY OUTREACH

The Applicant has continued to reach out to the community. ANC 7E held a special community meeting on Saturday, February 7, 2015 to learn more about the Project. Additional letters in support are attached as **Exhibit E.**

Thank you for your assistance in this matter. If you have any questions, please do not hesitate to ask Office of Zoning staff to contact the undersigned.

Very truly yours,
GREENSTEIN DELORME & LUCHS, P.C.



By: _____
Lyle M. Blanchard



By: _____
Kate M. Olson

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2015, a copy of the Supplemental Submission was served on the following:

ANC 7E

5001 Hanna Place, SE
Washington, DC 20019
(Electronically 7E@anc.dc.gov)

Commissioner Myron Smith, SMD 7E04

(Electronically 7E04@anc.dc.gov; myroncurtissmith@hotmail.com)

ANC 7C

4651 Nannie Helen Burroughs Avenue, NE #2
Washington, DC 20019
(Electronically 7C@anc.dc.gov)

Ms. Maxine Brown-Roberts

D.C. Office of Planning

(Electronically maxine.brownroberts@dc.gov)

Anna Chamberlin

D.C. Department of Transportation

(Electronically anna.chamberlin@dc.gov)



Kate M. Olson