GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



April 8, 2011

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L2CP LLC
c/o Steven E. Sher, Director of Zoning and Land Use Services
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W. - Suite 100
Washington D.C. 20006

Re: 2303 14th Street, N.W. Square 2868, Lot 155

Gentlemen:

This is to confirm that the number of parking spaces required for the above referenced building is reduced from 151 to 148 spaces. The property is located on the east side of 14th Street between Florida Avenue and Belmont Street, N.W. The property is improved with an apartment house with ground floor retail space. The building was constructed as a planned unit development approved in Zoning Commission Case No. 05-22, dated January 6, 2006, effective February 3, 2006.

Condition No. 3 of the Order provides as follows:

"The PUD shall include a minimum of 151 parking spaces with a minimum of 15 spaces devoted to the retail uses. Further, at least two (2) of the parking spaces shall be reserved for use by a car-sharing service, such as Zip Car or Flex Car."

Sheet A0.02 of the plans dated October 1, 2007, contains a table which indicates that there were 154 parking spaces in the building. Sheets A2.01, 2.02 and 2.04 from the plans dated October 1, 2007, approved as part of the building permit, contain 148 numbered spaces on the G2, G1 and Ground Floor levels. The 2 two spaces on the ground floor are the Zipcar spaces. The building permit to construct the building, No. 113234, was issued on May 21, 20087, and indicates that "all construction done according to the current Zoning Regulations." Following the completion of construction, a series of Certificates of Occupancy were issued by the District, including two C of O's (No. C1000481, dated November 25, 2009, and No. CO1002384, dated June 15, 2010), which specifically noted 148 parking spaces were provided.

Section 2409.6 of the Zoning Regulations authorizes the Zoning Administrator to approve minor modifications to the plans approved by the Zoning Commission. The permitted modifications include "a change not to exceed two percent (2%) in the number of parking or loading spaces" (§2400.6(c)). Reducing the number of parking spaces from 151 to 148 would be a change of 1.99%. In approving a modification, I am required to determine that "the proposed modification is consistent with the intent of the Commission in approving the PUD." (§2409.7)

ZONING COMMISSION
District of Columbia

1100 4th Street, S.W., 3rd Floor, Washington, DC 20024
Telephone: (202) 442-4576 Fax: (202) 442-4871

CASE NO. 05-22
EXHIBIT NO. 44

ZONING COMMISSION
District of Columbia
CASE NO.05-22
EXHIBIT NO.44

The PUD requested no flexibility from the parking requirements. The number of parking spaces required by the Zoning Regulations for 13, 903 square feet of retail space is 15. The number of parking spaces required for a 185 unit apartment house is 62. The total number of spaces required would therefore be 77 spaces. The number to be provided would be 148, still far in excess of the minimum.

It is my conclusion that the requested change is minor, that the it is within the flexibility specified under §2409, that the number of parking spaces to be provided will still be well above the minimum number required by the Zoning Regulations for the C-2-B District and that it is therefore appropriate to reduce the number of parking spaces to be provided from a minimum of 151 to a minimum of 148. Since there are 148 spaces in the building, in accordance with the plans approved by the District, there is no reason to get a new certificate of occupancy to reflect that approval.

Please let me know if I may be of further assistance.

Sincerely, Matthew Le Grant

Matthew Le Grant
Zoning Administrator

File: Determination Ltr re parking for View 14 at 2303 14th St NW to Sher 4-8-2011