Statement to BZA

This building is almost new. It was constructed in 1989 for The New District Fur Co. to be a fur storage and maintenance facility. It is incredibly solid and well insulated as it had to be secure and it had to maintain a controlled temperature and humidity. Unfortunately for the original owner, Garfinkel's and Woodie's went out of business just after he opened. They were his primary customers. He went out of business. The bank foreclosed. Then the FDIC took over the bank and ultimately sold the property to the ownership group that brought me in to solve the vacancy problem they were suffering for years. I began work in September 2000. It took over two years of effort to find the right user and pull the pieces together.

The zoning when the building was constructed was CM-3. The area was subsequently re-zoned C-3-C in concert with the DC Office of Economic Development and the DC Office of Planning conceiving of NoMa -- Lara Belkind of the Office of Planning sent me the following information in response to my inquiry of Jennifer Steingasser (January 22, 2001)

D.C. ... JUN 17 PM 4:50

The District's Vision for NoMa

As an underutilized, under-built area with good transportation access and proximity to the city center, city officials and community leaders hold high aspirations for NoMa to become a vibrant new downtown neighborhood. The vision for NoMa emphasizes a mixture of uses: residential, retail, and cultural uses - as well as incoming technology-related companies and other businesses. NoMa should promote a vision of the city as a place of contemporary culture and diversity, rather than official function or downtown office. At the same time, it should support the District's role as the nation's capital - by showcasing national cultural achievement in the form of creative contemporary architecture and public space design. It should also demonstrate innovation in community building, by discouraging separations of diverse uses and users.

New WMATA Metro Station and NY Ave Special Assessment

The New York Avenue Metro Station on the Red Line is currently under construction. Bob Worthington, Senior Assessor at the Commercial Assessment Unit of the Real Property Administration explained that the City Council passed a bill (Sec. 2 Chapter 8 Title 47), which requires any property over 10k sf zoned commercial, to pay $0.90/$100 based on calendar year 2000 assessment (33 Patt assessment was $1,031,200) -- for 30 years. The Special District as

Case No. 17047
Exhibit No. 9

Board of Zoning Adjustment
District of Columbia
CASE NO. 17047
EXHIBIT NO. 9

defined by this Council legislation includes all properties within 2,500 feet from the new Metro station, but not within 1,250 feet of Union Station. This property is paying $9,280.80 per year towards the new Metro Station. This is a significant amount of money, almost one half of the annual real estate tax bill.

Enterprise Zone and ANC Support

The building is located in an Enterprise Zone making it eligible for assistance to encourage economic revitalization. On March 25, 2003, ANC 6C wrote a letter of support to Councilmember Harold Brazil, Chairman of the Committee on Economic Development and to Michael Hodge, Director of the DC Revenue Bond Enterprise Zone Program (attached as exhibit __).

Application No. 50211 RETAILER's CLASS "CN" license and ANC Support

Night and Day Management LLC T/A FUR FACTORY applied for a RETAILER's CLASS "CN" license after signing a lease on the property November 1, 2002. After meetings and appropriate research, ANC 1A (then 6C) SMD Daniell Pernell wrote a letter of support to the Alcoholic Beverage Regulation Administration support of this application (attached as exhibit __).

Practical Difficulty

The additional one-hundred (100) accessory parking spaces required by the Zoning Regulations cannot be provided on the same lot with the principal use. The existing one-story building occupies eighty-six percent (86%) of the lot. The existing six (6) parking spaces occupy the remaining fourteen percent (14%) of the lot, adjacent to the shared driveway entrance to parking and the loading dock. No area on the lot is available for additional open parking.

Interior parking is not practical in this building because of its size. At least two levels of interior parking, spanning the entire lot would be required to provide 106 parking spaces that meet the size, location and access requirements of the Zoning Regulations.

The requested parking variance will do no harm to the public good.

Looking at the enclosed aerial photograph, the most prominent land use for blocks surrounding this building is parking lots. In addition, the new Metro station is under construction (it is within the 2,500 feet determined by the City Council to be primary beneficiary). The building is within half a block of North Capitol Street and one block of New York Avenue. Both streets have considerable Metrobus service. In addition, taxis are in great abundance as the new convention center is nearby, as are hotels, Union Station, and the interstate bus terminals.

The ANC wrote in it's letter of support to the ABRA:

> ***Parking:***
>
> *The Club approximately two and half blocks from a residential community and parking would not be a primary issue in the area of the club. The Club Patrons would use off street parking on Patterson Street -First Street- N., Street and-New York Avenue, N. E. Fur Factory Club has a plans to negotiate an agreement with neighboring Parking Lot owners on New York Ave to use their parking facility after hours and on the week ends. Owners with retain a valet parking company with plans to hire 13 or more individuals to ensure efficient handing of patrons cars.*

Club Management plans to have a valet company manage parking for patrons as they do in their current entertainment complex, Insomnia, located at 714 6th St., NW, DC 20001 in the Gallery Place neighborhood next the MCI Center.

It is not an accident that facilities such as these are not required to have any parking in C-4 or C-5 zones. We have not been able to identify a single club in the city that has on-site parking any where near sufficient to serve all its patrons. The most extreme example is the MCI Center which, functions incredibly well. The reason is that the time pattern of use is complementary with commercial uses. This is exactly the condition at 33 Patterson Street. Although the zoning here is C-3-C the setting and urban context is very much like C-4. And, it is yet to be built (see aerial photo). There is no question that there will be considerable below-grade parking which will be readily available to the club in the evening. Valet companies are well experienced in making appropriate arrangements for use of these facilities in the evening, and that is exactly what Club Management will do. It is in their direct interest to provide that service for their guests.