Government Of The District of Columbia
Advisory Neighborhood Commission 6C
Single Member District, ***Daniel M. Pernell, III*** (6C04)
1116 3rd., Street, N. E. Washington, D.C. 20002
Office: 202 547-5175 * Fax: 202 544-4874

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July 10, 2003

Geoffrey H. Griffis, AIA, Chairman
Board of Zoning Adjustments
Government of the District of Columbia
441 4th Street, NW Suite 210 South
Washington, DC 20001

RE: BZA Case No. 17047

Dear Chairman Griffis and fellow Commissioners:

ANC 6C addressed the above referenced application at our normal monthly meeting on July 9, 2003. Although we were shy one commissioner of a quorum due to illness, vacation, and student college loan meeting, the applicant nevertheless made a full presentation and the commissioners present discussed the merits in detail. There were no objections either from the commissioners present or members of the community in the audience.

We support this application for a parking variance. The Planning and Zoning Committee and the Licensing Committee addressed this application at our meeting on June 30, 2003. Four previous letters of support from ANC 6C for this project have already been submitted.

The parking issue was first addressed in our December 9, 2002 letter supporting the liquor license application. Our reasoning at the time, which is still valid, is that this property and it's immediate vicinity is effectively C-4 (although recently re-zoned from C-M-1 to C-3-C) where no parking is required at all. The area of land bounded to the south by K Street, to the west by No. Capitol Street, to the north by New York and Florida Avenues, and to the east by the railroad tracks, is distinctly and physically separate from any residential. Today it is overwhelmingly vacant land. With the ATF headquarters coming soon and the new WMATA Metro station currently under construction, in the spirit of TOD, we should be creating the highest pedestrian density possible and greatest mix of uses.

The ANC considered the three elements for granting such a variance:

1. **<u>uniqueness of the site</u>**

- almost new C-M-1 building (1990 completion) -- the only one of its kind in the city.
- area recently changed by city from industrial to new urban downtown neighborhood (NoMa)
- narrow street - 30 foot wide 50 foot r.o.w. cannot accommodate C-3-C building
- former industrial area had many old industrial buildings, most have already been demolished. Acres of parking lots. Much on street parking.

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- other streets in vicinity are wide enough to accommodate C-3-C buildings, many could go to 130 feet high (C-4 scale).

2. practical difficulty

- expensive, solid, secure building with 6 parking spaces. no physical room for more.

- building has been vacant for years although actively marketed. Ideal user has been found.

3. consistent with the intent of the Comprehensive plan – no detriment to public good.

- NoMa calls for mixed-use 24 hour city with entertainment as an important element. The use proposed is an ideal adaptive re-use of this building. It's location and it's soundproofing assures that it will not disturb anyone.

- In the spirit of environmental concerns and LEED -- re-using an existing building rather than demolishing it is dramatically more environmentally responsible.

- New Metro station under construction, completion in 2004, long before the abundance of parking lots will turn into new buildings.

- Every new building will contain below grade parking -- much of which will be available in night hours when this club will need parking. This is why there is no parking requirement for nightclubs in C-4 or C-5 zones.

- phasing of new construction in vicinity will keep the parking space availability high.

- proximity to the new Convention Center and to Capital Hill, and its exceptional accessibility, make this use in this unique building a great contribution to the city.

The planning quality for this new entertainment facility is exceptional. And the owners, Michael and Lilyan Rehman of Night and Day Management LLC, are responsible sensitive people who have shown every effort to be good neighbors. They attended the ANC meeting with their new daughter Isabella and their Deputy Director of Security.

We look forward to the contribution they will make to the revitalization of this important part of our city. Your quick approval of this needed variance will be much appreciated by ANC 6C.

Sincerely,

Daniel M. Pernell

On behalf of the four ANC Commissioners present,
By SMD COMMISSIONER DANIEL PERNELL III, ANC 6C04