STATEMENT IN SUPPORT OF
SPECIAL EXCEPTION APPLICATION
(PETER G. PAPPAS AND PATRICIA GEORGILAKIS)

This application is submitted on behalf of the property owners, Peter G. Pappas and Patricia Georgilakis, ("Applicant") for the continuation, with minor changes, of a permit parking lot at 4926 Wisconsin Avenue, N.W. (Rear) (Square 1671, Lot 30). The lot is zoned R-2.

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This property is the subject of a Special Exception which was granted by Bench Decision dated March 19, 1997 and Order with final date of January 21, 1998 (BZA Order No. 16212) entered at the request of a prior owner of the property, Inez Cushard Family Trust. Inez Cushard Family Trust sold the property to Starwood Urban Retail, IV, who in turn, sold the property to the current owners on or about January 16, 2002. Due to an unfortunate oversight, the Special Exception expired on January 21, 2003. The current owners are now seeking a new Special Exception. BZA Order No. 16212 permits by special exception the operation of a 27 space parking lot, and Applicant seeks a special exception to continue to operate a 27 space parking lot.

After taking ownership, the Applicant hired Deoudes-Magafan Realty, Inc., as manager to operate the parking lot, including arranging for maintenance and security. Deoudes-Magafan Realty, Inc. is an experienced property management firm which manages numerous properties in the Washington, D.C. area. Deoudes-Magafan Realty, Inc. arranged for a professional company to clean the lot on a weekly basis, and more often if needed. A principal of Deoudes-Magafan, Realty, Inc. routinely visits the parking lot to ensure that the neighbors will not have any problems with the parking lot. The manager has operated the parking lot in compliance with the conditions imposed by

BZA
Case No. 17151
Exhibit No. 4

Board of Zoning Adjustment
District of Columbia
CASE NO. 17151
EXHIBIT NO. 4

the grant of the Special Exception, and neither the Applicant nor the property manager is aware of any complaints regarding the parking lot operation.

Applicant seeks approval of the application upon the same terms and conditions as imposed on the grant in BZA Order No. 16212, with two modifications:

Condition No. 1. Applicant seeks an approval for a ten year period, rather than a five year period. Since Applicant took ownership of the parking lot over two years ago, the parking lot has been operated in a first class manner and neither Applicant nor the operator is aware of any complaints regarding the operation of the parking lot. Accordingly, the owner seeks a ten year approval period.

Condition No. 2. Applicant seeks a change in the hours of operation of the parking lot as follows. The opening time of 7:00 a.m. Monday through Friday, and 9:00 a.m. on Saturday would remain the same. The Sunday hours of operation of 11:00 a.m. to 6:00 p.m would remain the same. However, the closing time of 7:00 p.m. Monday through Saturday would be changed to 11:30 p.m., and during the extended hours the parking lot would only be used for valet parking by local restaurants. A local restaurant owner approached the operator of the parking lot and indicated a need to use the parking lot in the evening in connection with valet parking at the restaurant. The parking lot operator believes other restaurants in the area may have a similar need. Because of the need by local restaurants for access to the parking lot in the evenings and Applicant's excellent track record, Applicant seeks parking lot hours of operation of Monday through Friday from 7:00 a.m. to 11:30 p.m., Saturday from 9:00 a.m. to 11:30 p.m. and Sunday from 11:00 a.m. to 6:00 p.m., with use after 7:00 p.m. to be limited to restaurants offering valet parking to their customers.

Applicant notes that there is an automatic gate to control ingress and egress to the lot as required under condition 3 of the existing special exception, so that the lot is secured when it is not in operation.

The parking lot, as approved and operated, meets the conditions of approval and the requirements for a Special Exception. The parking lot, as proposed, will satisfy all requirements for the grant of the requested Special Exception. Pursuant to Sections 302.1 and 3104 of Title 11 of the D.C.M.R., the requirements for a parking lot in an R-2 zoning district are set forth in Section 213.

As required, Applicant is seeking a Special Exception from the Board of Zoning Adjustment. (§ 213.1). The parking lot is located in its entirety within 200 feet of an existing commercial district and is separated only by an alley from the existing commercial district. (§§ 213.2, 213.3). The Chapter 23 requirements applicable to a parking lot will be complied with. (§ 213.4). No dangerous or otherwise objectionable traffic conditions shall result from the continuation of the parking lot, and the parking lot has not and will not adversely affect the present character and future development of the neighborhood. (§ 213.5). The parking lot is reasonably necessary and convenient to other uses in the vicinity so that the likely result will be a reduction in overspill parking on neighborhood streets. During the past two years, monthly parkers have utilized the parking lot including employees of Wells Fargo Bank, At The Beach Tanning Salon, and students of Georgetown Day School, resulting in these vehicles not parking on the neighborhood streets. (§ 213.6). If local restaurants are allowed to use the parking lot in connection with evening valet parking as requested above, these vehicles will not be parked on the neighborhood streets during the evening. A majority of the parking spaces

will serve the short-term parking needs of retail, service and public facility uses in the vicinity. (§ 213.7). As required by § 213.8, the Board of Zoning Adjustment is to submit this application to the Department of Public Works for review and report. The Department of Public Works had no objection to the Parking Lot Special Exception approved by BZA Order No. 16212.

The proposed parking lot and use remains the same as that approved in 1998 with the only difference being a request for a ten year approval period and additional hours of operation. All other conditions previously imposed by Board Order No. 16212 are acceptable to the Applicant.