

November 20, 2018

VIA IZIS AND HAND DELIVERY

D.C. Board of Zoning Adjustment
441 4th Street, N.W.
Suite 200-S
Washington, D.C. 20001

Re: **BZA Case No. 19882 – Jubilee Housing, Inc. (the “Applicant”) Special Exception Application for 1724 Kalorama Road NW (Square 2567, Lot 90) (the “Property”) – Pre-Hearing Submission**

Dear Members of the Board:

Please accept for filing the enclosed twenty-one day pre-hearing statement by the Applicant. By the instant application, the Applicant is requesting special exception relief from the parking requirements for the conversion of an existing commercial building and the construction of an addition to create a mixed-use building with affordable housing, a children’s art center, and office uses (the “**Project**”). The Applicant is seeking a special exception pursuant to 11-C DCMR § 703.2 for complete relief from the parking requirements.

Set forth below is (1) an update regarding the relief requested; (2) a discussion explaining the updating drawings; (3) information regarding community outreach and input; and (4) expert witness resumes and outlines of testimony.

I. Updates to Relief Requested

As part of the ongoing work on the Project, the Applicant met with the Zoning Administrator to discuss the proposed development. In the course of that conversation, the Zoning Administrator determined that the Sitar Arts Center use proposed at the ground floor of the Project would be deemed “Daytime Care” use due to its focus on care for the District’s youth.¹ Daytime Care is a permitted use in the RC-3 Zone District. Based on this use designation, the parking spaces required for the Project are updated slightly – the Project now would generate a parking requirement of ten (10) spaces – three (3) spaces for Sitar and seven (7) spaces for the residential units.² This reduction of two required parking spaces results purely from the change of use designation for Sitar and does not reflect a change to the Project.

Additionally, both the Zoning Administrator and the Office of Planning (“OP”) noted that the Project does not require lot occupancy relief. The Applicant included the request for lot occupancy relief out of an abundance of caution. The Applicant desired to ensure that the conversion of an existing office building, to which the lot occupancy limitations do not apply, to residential use on the existing 2nd and 3rd floors did not create a non-compliant condition. However, the Zoning Administrator and OP determined that a long-standing interpretation – allowing the conversion of a non-residential building to residential use that would otherwise be non-conforming as to lot occupancy is allowed as a matter-of-right – still stands under the 2016 Zoning Regulations. Therefore, the Applicant withdraws its request for lot occupancy relief.

¹ The initial application was submitted with the assumption that the Sitar Arts Center use would be categorized as an “Arts, Design, and Creation” use.

² The initial application noted a requirement of twelve (12) spaces - four (4) spaces for Sitar, one (1) space for the Jubilee office space, and seven (7) spaces for the residential units.

II. Updated Drawings

Attached as Exhibit C are updated plans for the Project, refining the information regarding the Project. The Applicant has made no substantive changes to the plans from those initially submitted into the record.

Additionally, OP provided the Applicant comments regarding projections and items in public space. The Applicant will continue to coordinate with OP and the Department of Consumer and Regulatory Affairs on these projection-related issues separately from this application, since the Construction Code issue is not directly related to the parking relief being requested and not typically subject to the Board's purview more generally. Therefore, the façade design is subject to potential change, as needed, to address any Code-related issues that arise in permit review, particularly relating to allowable projections.

III. Community Outreach and Input

Since submitting the application, the Applicant has continued to reach out to the community, including the Advisory Neighborhood Commission ("ANC") to discuss the Project. The Applicant presented at two ANC Planning, Zoning, and Transportation ("PZT") meetings on September 19, 2018 and October 17, 2018. The second meeting included a site visit and long discussion with community members at the existing Sitar Arts Center next door to the Property. The ANC is scheduled to consider the Project at its full meeting on December 5, 2018.

IV. Expert Witness Submissions

By this filing, the Applicant is also submitting the resume of Jeff Goins, of PGN Architecture, as Exhibit A, in order to qualify him as an expert in the field of design and architecture by the Board. The resume of Jami Milanovich, the Applicant's transportation expert,

was previously submitted into the record at Exhibit 29B. The Applicant is also filing its outlines of witness testimony as Exhibit B.

V. Conclusion

We look forward to presenting this case to the Board on December 12, 2018. If you have any questions, please do not hesitate to contact Jeff at (202) 721-1132 or Meghan at (202) 721-1138. Thank you for your attention to this application.

Sincerely yours,


Jeff C. Utz


Meghan Hottel-Cox

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document was delivered by first-class mail or hand delivery to the following addresses on November 20, 2018.

Jonathan Kirschenbaum (2 copies)
Office of Planning
1100 4th Street, S.W., Suite 650E
Washington, D.C. 20024

Aaron Zimmerman (2 copies)
District Department of Transportation
55 M Street SE, Suite 400
Washington, DC 20003

ANC 1C (7 copies)
P.O. Box 21009
Kalorama Station
Washington, DC 20009

Amanda Fox Perry – ANC 1C 08 (1 copy)
1664-D Beekman Place NW
Washington, DC 20009


Meghan Hottel-Cox