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September 28, 2021

VIA IZIS

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

Re: Case No. 20508 – Application of 9 New York Avenue LLC (the "Applicant") for a Special Exception for Square 671, Lot 14 (the "Property")– Supplemental Submission

Dear Members of the Board:

The Applicant appreciates this opportunity to update the record regarding its discussions with ANC Commissioner Eckenwiler and DDOT regarding the loading for 7 New York Avenue, NE. The three parties met on September 23, 2021, and while they did not come to a consensus, they were able to narrow the discussion to either the viability of a loading dock that would be accessed via back-in maneuvers from N Street or the possibility of improving the operations of the curb-side loading to minimize the likelihood of congestion. The meeting closed with ANC maintaining its strong preference for a back-in loading dock and DDOT maintaining its strong preference for curb-side loading in this instance. The Applicant is reticent to agree to a back-in loading condition, as it is unlikely that such a curbcut would be approved through the public space process over DDOT's objections. Moreover, it would require the building to be re-designed and the amenity space and unit count to be reduced in order to accommodate the berth. Consequently, the Applicant maintains its preference for the current proposal and continues to request relief from the loading requirements.

Upon the request of DDOT, the Applicant is updating its loading management plan to incorporate additional commitments that will help avoid congestion on N Street. See an updated loading management plan, attached as Exhibit A, with the suggested additions provided in red-line. DDOT has also indicated that it is amenable to dedicating the entire 115 feet of curbside area to a "No Parking" zone: 50 feet will include signage limiting its use for curb-side loading, while the remaining 65 feet will be used for pick-ups/drop-offs. Whereas the loading requirement for this building is to set aside 50 feet of space for loading or delivery (30' berth + 20' service and delivery space), there will instead be 115 feet of street frontage dedicated to loading or delivery.

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The Applicant believes that with these modifications, the proposed curb-side loading will function more optimally and the risk of congestion on N Street will be reduced significantly. While the loading area won't be exclusive for the use of the proposed building, it will be more than twice the size of what is otherwise required, and will exceed what is necessary to meet the anticipated loading demand. As such, the Applicant believes that this request for relief satisfies the special exception standard and asks the Board to approve the application.

Sincerely,

/s/
Christine Roddy

Enclosure

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document will be sent by email to the following addresses on September 28, 2021.

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/s/
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