



August 25, 2025

SUBMITTED VIA IZIS

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Frederick L. Hill, Chairperson
Board of Zoning Adjustment
441 4th Street, NW, Suite 200S
Washington, DC 20010

Re: BZA Case No. 21342
Applicant's Prehearing Statement

Chairperson Hill and Honorable Members of the Board:

Culture Building, LLC (the “**Applicant**”) submits this prehearing statement in support of its request for special exception relief pursuant to Subtitle X § 901.1 to permit an entertainment, assembly, and performing arts use in the PDR-2 zone, as allowed under Subtitle U § 802.1(e). The Applicant also seeks special exception relief from the minimum parking requirements for this use set forth in Subtitle C § 701.5.

On July 17, 2025, the Applicant presented the proposed project to the Advisory Neighborhood Commission 5D (the “**ANC**”) Zoning Committee. During the meeting, Commissioners inquired about the proximity of Ivy City Smokehouse, located at 1356 Okie Street NE, and whether relief is needed from Subtitle U § 802.1(e)(3) given the proximity to the proposed entertainment, assembly, and performing arts use. That provision states that such use is not permitted “where there is a property containing a live performance, night club, or dance venue either in the same square or within a radius of one thousand (1,000) feet from any portion of the subject property.”

The Applicant informed the ANC that this restriction does not apply here. Although Ivy City Smokehouse is also located in Square 4038, it does not hold a Certificate of Occupancy authorizing a live performance venue, nightclub, or dance venue use. The Applicant reviewed all publicly available Certificates of Occupancy for 1356 Okie Street NE, and none authorize live entertainment or any other use covered by Subtitle U § 802.1(e)(3). Specifically:

- **CO1903444** (Sept. 5, 2019): Restaurant use with 223 interior seats and a total occupant load of 530, including 75 rooftop summer garden seats.
- **CO1902005** (Apr. 5, 2019): Office space with existing warehouse.
- **CO2102995** (Aug. 27, 2021): General office space.

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- **CO2400623** (Dec. 4, 2023): Office use for five occupants, reflecting an ownership change.

Based on this review, the proposed use complies with Subtitle U § 802.1(e)(3), and no variance relief is required under this provision.

The Applicant anticipates supplementing the record with additional materials following a presentation to the ANC on September 9, 2025.

Sincerely,

Cozen O'Connor



Meridith Moldenhauer



Zachary Bradley

Certificate of Service

I hereby certify that on this 25th day of August, 2025, a copy of the foregoing Prehearing Statement was served, via email, on the following:

District of Columbia Office of Planning
1100 4th Street SW, Suite E650
Washington, DC 20024
planning@dc.gov

Advisory Neighborhood Commission 5D
c/o Salvador Saucedo-Guzmán, SMD 5D05, Chairperson
5D05@anc.dc.gov
Commissioner Sebrena Rhodes, SMD 5D02, Vice Chairperson
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