

July 14, 2026

Via JZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

Re: Motion to Oppose the Postponement Request - BZA Case No. 21462

Dear Members of the Board:

The Applicant strongly opposes Chair Warburton's last-minute request to postpone the public hearing in this matter, currently scheduled for July 22, 2026. This hearing date has been set for nearly three months. Notice of the July 22 hearing was filed in the record on April 30, 2026, and the underlying application was filed on March 18, 2026. Given the Board's August recess, the requested postponement would likely result in a delay of two or more months. This would be materially detrimental to the Applicant, including both the property owner and the tenant. The subject space is a vacant storefront along the Georgia Avenue, NW corridor that is currently sitting without any use, and every month of additional delay compounds that harm to the Applicant and to the commercial corridor itself.

The requested relief, a special exception to permit a fast-casual restaurant (Wingstop), does not present novel or complex issues that would require the participation of any one particular Commissioner. The record of communication between the Applicant and ANC 4C has been broadly shared with all ANC Commissioners. The Applicant has appeared at two ANC meetings including two full presentations and a discussion where all Commissioners have been involved. Further, all Commissioners have been included on the email correspondence between the parties, and the Applicant's meeting with Chairperson Warburton was recorded and distributed. Most recently, at the ANC's July 8, 2026, meeting, the July 22 hearing date was referenced numerous times. The Applicant understands that scheduling conflicts arise, but this hearing has been on the calendar for months, significant work events are typically scheduled well in advance, and the timing of this request, made a week before the hearing, should be weighed accordingly.

Given the ample and well-documented communication in this case, a reasonable alternative to a multi-month postponement is readily available: the ANC can simply designate another Commissioner to represent it at the hearing. The ANC has the ability to hold an emergency meeting for that limited purpose if necessary, and the Applicant is comfortable proceeding with any other Commissioner the ANC may designate. Because the issues that have been communicated to the Applicant are straightforward and were shared among the Commissioners, no institutional

knowledge would be lost by such a substitution.

Additionally, the ANC's has the ability to detail any issues or concerns in a resolution which the Board can give great weight to without a representative. In the alternative, because the Board's hearings are held virtually, the Chairperson could work with Office of Zoning staff to identify a time on the scheduled hearing date that accommodates the jail graduation. The Applicant is flexible and has the day blocked off for the hearing. Either accommodation would fully protect the ANC's ability to participate without imposing months of unnecessary delay on the Applicant.

For the foregoing reasons, the Applicant respectfully requests that the Board deny the request for postponement and proceed with the public hearing as scheduled on July 22, 2026.

Respectfully Submitted,

Alexandra Wilson

Alexandra Wilson
Sullivan & Barros, LLP

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2026, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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