

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Jessica Raabe Bloomfield
202.469.5272
jessica.bloomfield@hklaw.com

August 17, 2026

VIA IZIS

Board of Zoning Adjustment
for the District of Columbia
441 4th Street, NW Suite 210-S
Washington, DC 20001

**Re: Applicant's Prehearing Submission - BZA Case No. 21489
1401 New York Avenue, NW (Square 222, Lot 24)
Special Exception Relief for Expansion of Existing Penthouse**

Dear Members of the Board:

On behalf of BIG 1401 NY OWNER LLC (the "Applicant"), the owner of property located 1401 New York Avenue, NW (Square 222, Lot 24) (the "Property"), we hereby submit this Prehearing Statement pursuant to Subtitle Y §§ 300.15 and 300.16 of the District of Columbia Zoning Regulations, Title 11 to the District of Columbia Municipal Regulations (the "Zoning Regulations").¹

As set forth in the Burden of Proof (Exhibit 8), the Applicant requests special exception relief pursuant to Subtitle X § 901.2 and Subtitle C § 1501.1(e) of the Zoning Regulations to permit the expansion of existing penthouse habitable space on the existing building at the Property. The proposed expansion will add approximately 2,700 square feet of new interior penthouse floor area, which will be devoted to a tenant lounge and multi-purpose room. The expanded penthouse will meet all height, setback, and massing requirements of Subtitle C, Chapter 15 of the Zoning Regulations. Due to the Property's location within the boundary specified in Subtitle C § 1501.1(e), expansion of the penthouse habitable space is permitted only if approved by the BZA as a special exception and after consultation with the U.S. Secret Service ("USSS").

There have been no updates to the project or to the architectural drawings previously submitted to the case record. Therefore, the Applicant has no new information to add to the record. A summary of the Applicant's engagement on the application is set forth below:

- The **USSS** toured the Property on October 16, 2025, and by email dated October 17, 2025 (Exhibit 13), the USSS stated that it "has no objections to the plans as they were presented to agency personnel for the location at 1401 New York Avenue, NW."

¹ The property owner and the Applicant to the BZA case is BIG 1401 NY OWNER LLC, as indicated in the previously submitted application materials, including the BZA authorization letter, and as shown in the tax records of the District of Columbia. An affiliate of Carr Properties is a partial owner of BIG 1401 NY OWNER LLC and is the property manager of the Property.

- The affected **Advisory Neighborhood Commission** (“ANC”) 2C reviewed the project, and by resolution dated May 6, 2026, as corrected and reissued on July 10, 2026 (**Exhibit 23**), the ANC stated that at its regularly scheduled and properly noticed public meeting held on April 14, 2026, with a quorum of commissioners present, ANC 2C voted unanimously to support the application.
- The Applicant served copies of the application on the **Office of Planning and the District Department of Transportation**, and as of the date of this filing, neither agency has expressed any concerns.
- The Applicant is not aware of any opposition to the application from surrounding property owners, community stakeholders, or Federal or District agencies.

The Applicant looks forward to presenting the application to the Board at its September 16, 2026, public hearing. Should you have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact us.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Jessica Raabe Bloomfield

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2026, a copy of the foregoing prehearing statement was served by electronic mail on the following at the addresses stated below.

District of Columbia Office of Planning

Radhika Mohan
radhika.mohan@dc.gov

Maxine Brown-Roberts
maxine.brownroberts@dc.gov

Michael Jurkovic
michael.jurkovic@dc.gov

District Department of Transportation

Erkin Ozberk
erkin.ozberk1@dc.gov

Advisory Neighborhood Commission 2C
2C@anc.dc.gov

Commissioner Michael Shankle
ANC 2C Chair and Single Member District 2C01
2C01@anc.dc.gov

Commissioner Nancy Groth
ANC 2C Secretary
2C02@anc.dc.gov



Jessica R. Bloomfield
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