

# Holland & Knight

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## VIA EMAIL

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February 2, 2015

Zoning Commission for  
The District of Columbia  
441 Fourth Street, N.W., Suite 210  
Washington, D.C. 20001

**Re: ZC Case No. 14-10  
Text Amendments to Zoning Regulations for Animal Boarding Use**

Dear Members of the Zoning Commission:

We respectfully request that the Zoning Commission accept the following revision (underlined) to Section 735.4(b) of the proposed text amendments:

*735.4 The applicant shall demonstrate that the animal boarding use will comply with the following conditions and any Board's approval shall be subject to the use's continued compliance with these standards:*

*(b) Buildings shall be designed and constructed to mitigate noise to limit negative impacts on adjacent properties, **including residential units located in the same building as the use.** Additional noise mitigation shall be required for existing buildings not originally built for boarding of animals, including the use of acoustical tiles, caulking to seal penetrations made in floor slabs for pipes, and spray-on noise insulation;*

The requested revision is consistent with the language in Section 735.3 and other sections covered under the text amendment. Also, it clarifies that the new criteria requiring mitigation of noise through design and construction measures is applicable to animal boarding uses in mixed use buildings. The Zoning Regulations do not currently contemplate animal boarding uses in mixed use buildings, nor does Section 735 currently provide noise mitigation through building design and construction as a criteria for review of an application for an animal boarding use.

We strongly urge the Zoning Commission's approval of the proposed text amendment, including the change requested herein. The text amendment would allow animal boarding uses in mixed use buildings through special exception approval, subject to the new criteria proposed under Section 735.4. We submit that this is an extremely appropriate use for mixed use buildings and would support the growing demand for dog day care center services in urban areas like the District.

Sincerely,

HOLLAND & KNIGHT, LLP

  
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Leila M. Jackson Batties

cc: Mr. Joel Lawson, Office of Planning  
Mr. Stephen Mordfin, Office of Planning