

1 William Licko, come forward. Leila Batties,
2 Brock Benson, Martin Sullivan. I was going to
3 say David Letterman but I know it's not David
4 Letterman so David Liedman.

5 Okay. We're going to start with Mr.
6 Licko and everybody here is a proponent of the
7 regulations. So, we'll start to my left. You
8 may begin.

9 MR. LICKO: My name is Bill Licko. I'm
10 a Senior Director with UDR which has an
11 ownership position in 52,000 apartment homes in
12 22 markets across the U.S.

13 The company also has 1,500 apartment
14 homes located in the District's boundaries.
15 That's approximately six apartment
16 communities.

17 I'm here to highlight two main points.
18 One, as an owner of mixed use properties, UDR
19 is pleased that the Zoning Commission has
20 requested amendments to the zoning regulations
21 that addresses the growing demand for dog
22 daycare centers in urban areas and mixed use

1 buildings, in particular.

2 Two, the primary concern about this
3 use in a mixed use building is the noise impact
4 on the residential units above. I want to talk
5 about how we are able to fully mitigate noise
6 impact through appropriate construction
7 measures.

8 First of all, a little bit of
9 background. There's a great need for
10 pet-related services in urban locations
11 nationally. And Washington, D.C. is no
12 different. This text amendment will help to
13 serve the residents who live in the areas with
14 ground floor retail and residential above. It
15 also has the indirect benefit of activating the
16 ground floor of mixed use buildings.

17 Indoor dog play parks located at store
18 front windows are appealing to the eye and
19 create pedestrian friendly store fronts. Very
20 few people can resist looking at puppies
21 playing in the window.

22 Dogs are America's favorite pet with

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1 43.3 million households owning one and with the
2 influx of populations in downtown areas,
3 developers and planners are focusing on
4 amenities that support the growing population.
5 For example, many apartment communities are
6 offering dog washes, dog parks and roof top dog
7 walks. Our apartment communities are pet
8 friendly and we estimate that 30 percent of our
9 apartment homes have at least one dog. Many of
10 these dogs are left in their apartments during
11 the day while their owners are at work. Pet
12 owners want their dogs to be cared for while
13 they're at work. However, today's urbanites
14 either don't want to use their cars or don't
15 have cars to take their dogs to daycare
16 facilities.

17 Due to this increased demand in pet
18 services many urban residents are recognizing
19 the need for dog daycare services. And the
20 traditional kennel is no longer acceptable.

21 Daycares are now focusing on
22 mitigating odors and noise and building their

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1 space so it is more inviting to the pet owner
2 while paying particular attention to
3 cleanliness. Recently, ULI Magazine, a
4 magazine devoted to covering best practices
5 across a broad spectrum of real estate topics
6 featured a dog daycare facility located in a
7 Class A luxury mixed use high rise in New York.
8 The cover article highlighted urban resident
9 demands for pet friendly accommodations and
10 there's an exhibit that was handed out to you
11 regarding that article.

12 When we do this we have care
13 consideration that's given to the structure and
14 design of each building. As I mentioned, we
15 successfully tenanted and opened dog daycares
16 in mixed use communities, apartments above the
17 dog daycare in Seattle, Dallas and San Diego and
18 we have done so without any noise or odor
19 complaints. So, this can be done. It's done
20 by taking specific noise attenuation measures
21 recommended by acoustical engineers. I've
22 also submitted an example showing

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1 illustrations of the build out precautions
2 taken to insure any objectionable noises are
3 mitigated.

4 In conclusion, this text amendment
5 will create a clarified path to allow mixed use
6 commercial space become occupied with a use
7 that is desired by many in the District.

8 CHAIRMAN HOOD: Okay. Thank you.

9 Next?

10 MS. BATTIES: Good evening. I'm Leila
11 Batties with the law firm of Holland & Knight.
12 I actually represent UDR on the property at 2400
13 14th Street.

14 I just want to emphasize a couple of
15 things. One thing that Mr. Licko did not
16 mention in his testimony. As the owner of both
17 the retail space and the apartment house above
18 they have a vested interest in making sure that
19 noise is fully mitigated. They obviously
20 don't want a situation where their tenants are
21 disrupted by noise and then not inclined to stay
22 in their building. So, their interest in

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1 making sure noise issues are addressed, they
2 are very much vested in making sure that it's
3 addressed.

4 The other thing I want to point out,
5 Commissioner Hood or Chairman Hood, is that
6 when the regulations were drafted in 2005 they
7 did not contemplate dog daycare centers in
8 mixed use buildings. So, that is one thing we
9 welcome with the proposed amendments because
10 they do address standards for dog daycare
11 centers that are in mixed use buildings with
12 residential above. So, we welcome those
13 amendments.

14 And, finally, Commissioner May, I do
15 believe when we had the case before the BZA the
16 breed of dog actually did enter into the
17 discussion because they talked about how
18 certain dogs barked or the pitch of certain
19 dog's barks so I don't want you to think that
20 that clearly would not be a part of the
21 discussion when it came to noise.

22 So, with those three things out of the

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