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May 22, 2019

VIA IZIS

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

**Re: BZA Application No. 19020B-Prehearing Submission
1011 K Street, NW (Square 342, Lot 61)**

Dear Members of the Board:

Jemal's Bulldog L.L.C. (the "Applicant") hereby submits the following additional information in support of its application for a Modification of Significance pursuant to Subtitle Y § 704 to modify the approved plans by incorporating a nightclub, bar, cocktail lounge, or restaurant use in the penthouse of the building on the property located at 1011 K Street, NW (Square 342, Lot 61) (the "Site").

A. Community Support

The Site is located within the boundaries of Advisory Neighborhood Commission ("ANC") 2C. The Applicant presented the modification application at ANC 2C's December 10, 2018, public meeting, at which meeting the ANC voted unanimously (2-0) to recommend approval of the modification application. At its regularly-scheduled and duly-noticed special public meeting on May 14, 2019, at which a quorum of commissioners was present, ANC 2C again voted unanimously (3-0) to support the application.

B. Penthouse Height

The Applicant's preliminary statement stated that the penthouse addition will include penthouse habitable space with a maximum height of 10 feet, 5 inches that will be setback 1:1 from the rear building wall in accordance with the Zoning Regulations. However, as shown on the Architectural Plans and Elevations included at Exhibit 3 of the record, the maximum height of the penthouse habitable space will be 11 feet and will be setback 1:1 from the rear building wall in accordance with the Zoning Regulations.

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C. Outlines of Testimony and Resume of Expert Witness

Attached as Exhibit A are the outlines of testimony and resumes of the witnesses who will testify on behalf of the Applicant. The following individuals will testify at the public hearing:

1. Phil Gardiner, on behalf of the Applicant
2. Alexander Crawford/Libby Hampton, *project architects*, streetsense.

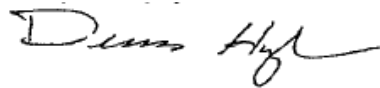
D. Conclusion

For the reasons stated above, and as set forth in the Applicant's Statement of Compliance, the Applicant has demonstrated that its request is in harmony with the purpose and intent of the Zoning Regulations and meets the test for special exception approval under Subtitle X § 901.2 and Subtitle C § 1500.3(c) of the Zoning Regulations. Accordingly, the Applicant respectfully requests the Board to approve the modification application.

We look forward to the Board's consideration of this application at its February 27, 2019, public hearing.

Sincerely,

HOLLAND & KNIGHT LLP



By: _____

Dennis R. Hughes
Joseph O. Gaon

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that on May 22, 2019, a copy of the foregoing prehearing submission was served on the following parties to the original case via U.S. Mail:

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Via E-Mail

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