

SUPPLEMENTAL REPORT

TO: District of Columbia Board of Zoning Adjustment

FROM: Anne Fothergill, Case Manager
JL Joel Lawson, Associate Director Development Review

DATE: March 21, 2018

SUBJECT: BZA Case 19659, 2118 Leroy Place, N.W **SUPPLEMENTAL REPORT**

The Office of Planning (OP) has reviewed the Applicant's and Opponents' proposed conditions of approval (Exhibits 150 and 151A). OP continues to support conditions of approval as put forth in the OP report dated January 25, 2018 (Exhibit 110) with the changes, based on the more recent submissions from the applicant and the party in opposition, noted below:

1. *There is to be no expansion of the existing Building footprint, and other external alterations are subject to approval by the DC Historic Preservation Office.
2. The office hours of operation will be 8am to 6pm Monday through Friday.
3. *Staff and visitor parking will be in nearby garages only and on-street parking will not be allowed. FSMB shall memorialize the restriction on street parking in the employee handbook. FSMB may utilize the two spaces in its own garage, accessed from the rear of the property, for its senior staff from time to time.
4. A maximum of fifteen (15) ~~employees~~ **people** may work on-site. [text in bold added]
5. All deliveries will be restricted to weekday office hours.
6. Loading will be restricted to the alley.
7. Annual meetings and events will not be held at the subject property and will be held off-site. **The Premises will not be rented out or used by anyone other than FSMB, for any types of parties or similar events. Fundraisers are also prohibited. FSMB may hold a maximum of three (3) committee meetings per quarter during business hours, not to exceed more than 15 invitees per meeting. One of these meetings per quarter may include a reception for the 15 invitees that will end by 8 pm.** [text in bold added, see OP analysis below]
8. *The Applicant and the ANC shall establish a neighborhood liaison to provide a forum for concerns and provide information about activities to property owners within 200 feet of the subject property, and the Applicant shall designate one of its executive officers as its liaison to the forum, which shall convene no less frequently than on a quarterly basis.
9. The proposed nonprofit office use will be approved for a period of five years **from the date of issuance of the certificate of occupancy.** [text in bold added]

*Exact language as proposed in the Applicant's submission.

OP has had discussions with both the Applicant and the opponents, and understands that the two parties have also had constructive discussions. Many of the conditions as brought forward by the Applicant in their Draft Findings of Fact (Exhibit 150) and from the party in opposition (Exhibit 151A) are similar or identical. OP also understands, however, from the parties in opposition that they continue to oppose the use of this property as a non-profit office.

Regarding Condition 7, OP had initially recommended a condition of approval that the Applicant's annual meetings and events would be held off-site. OP has revised this condition to add clarity and certainty, by including the proposed language provided by the Applicant combined with meeting detail generally based on the description of the committee meetings in the Applicant's Pre-hearing submission dated January 10, 2018 (p. 8 - Exhibit 103). OP finds that smaller meetings could be held on-site if they are limited in number, intensity, time, and duration so that they should not have an undue adverse impact on the use of the neighboring properties. Any larger meeting or other meeting held outside the limits of this condition would be required to be held off-site.

OP does not oppose Conditions 10-14 as proposed by the Applicant (page 27 of Exhibit 150).

Overall, the recommended conditions would help to ensure that the proposal would meet the criteria of Subtitle U Section 203.1 and not unduly adversely impact the neighborhood.