

**BEFORE THE BOARD OF ZONING ADJUSTMENT
OF THE DISTRICT OF COLUMBIA**

Application of Georgetown 29K Acquisition, LLC
ANC 2E

Case No. 20443
Hearing Date: April 28, 2021

PRE-HEARING STATEMENT OF THE APPLICANT

This statement provides additional information in support of the Applicant’s request for special exception relief to permit the renovation and conversion of the historic West Heating Plant into a residential building and one-acre public park at 1051-1055 29th Street NW (Square 1193, Lots 45, 46, & 800-804) (the “**Property**”). Further, the Applicant requests that a special exception be added to the application for review and approval by the Board.

The Property is located in the MU-13 Zone District and the Georgetown Historic District. The Property is improved with the West Heating Plant (“**WHP**”), which is an individual historic landmark and a contributing structure the historic district. The Property was previously owned by the federal government, and the WHP operated as a coal-powered steam heat plant for federal buildings. The WHP was decommissioned in 2000, and the Property has been abandoned and vacant since. The Applicant acquired the Property from the federal government in 2013 and proposes to redevelop it into a 70-72 unit residential building, one-acre public park, and parking below the park (“**Project**”). In 2019, the Mayor’s Agent for Historic Preservation approved the proposed partial demolition of the WHP and redevelopment plans for the Project.

With this statement, the Applicant is filing updated Project plans that correct some inaccurate measurements. Otherwise, the plans are the same as previously filed.

I. Request to Add Additional Special Exception Relief

The Applicant requests that it be permitted to amend its application and add special exception relief from some of the requirements for mitigation for parking in significantly in excess of the minimum under Subtitle C § 707.3(a). This special exception is being sought pursuant to Subtitle C § 707.3(e). The plans for the Project have not changed since the application was filed, and this relief is not being added to accommodate a change to the design or massing. The Project will provide 95-105 parking spaces, which the Applicant knew would trigger the mitigation requirements in Subtitle C § 707.3(a). However, the Applicant is adding the relief now because the need for it did not arise until recently, when the Applicant further refined its planned operations and program for the automobile parking in the Project. The Project's parking area will be secure for only the residents and will be valet operated, meaning that some of the mitigation requirements are not feasible.

No parties or stakeholders will be prejudiced or harmed by the addition of this special exception relief, and the relief has already been and will continue to be widely noticed. The Applicant apprised DDOT of its intent to seek this relief several weeks ago when discussing the scoping of the transportation report, which has been submitted to the record as Exhibit 26 and includes a discussion of the relief. Also, the Applicant already informed the Office of Planning of its intent to add this relief. Further, when the Applicant presented this application to ANC 2E at its regular public meeting on March 30, 2021, it included a discussion of this additional relief. Finally, the public hearing notice signs at the Property – to be posted by April 13, 2021 – will include this relief as well.

II. Relief Sought

With the addition of the relief described above, the Applicant requests that the Board approve the following three areas of relief:

1. Special exception from the loading requirements in Subtitle C § 901.1 (11-C DCMR § 901.1).
2. Special exception from the penthouse single enclosure and setback requirements in Subtitle C §§ 1500.6 & 1502.1 (11-C DCMR § 1500.6 & 1502.1).
3. Special exception from the mitigation for parking significantly in excess of the minimum requirements under Subtitle C § 707.3(a) (11-C DCMR § 707.3(a)).

Satisfaction of the requirements for the first two special exceptions is described in the application materials already filed in the record.

III. Satisfaction of the Criteria for Special Exception Relief from the Mitigation for Parking Significantly Excess of the Minimum Requirements

Relief from the mitigation requirements in Subtitle C § 707.3(a) is permitted as a special exception, subject to the specific requirements in Subtitle C § 707.3(e) and the general provisions of Subtitle X § 901.2. For the reasons set forth below, the application satisfies these requirements.

- A. *Mitigation requirements for the excess parking spaces are not required due to other transportation demand management, bike way, or pedestrian way improvement commitments of the applicant, to be provided prior to the issuance of a certificate of occupancy for the building or site containing the parking; or (C § 707.3(e)(1)).*

The Applicant is diligently coordinating with DDOT to prepare an appropriate mitigation package that includes commitments other than those required by § 707.3(a). At a minimum, the Applicant will provide excess bicycle parking, new trees in public space, and additional GAR in

accordance with the mitigation requirements in § 707.3(a). The Applicant's additional commitments will be settled by the time of the public hearing following an ongoing discussion with DDOT to devise the best mutually-agreeable mitigations suitable for this Project and the needs of the neighborhood and District.

- B. *The excess parking spaces will serve a District-identified need for parking in the community, and will be entirely shared (non-dedicated) parking spaces available at regular market rates to the public at all times that the facility with the parking is open (C § 707.3(e)(2)).*

Not applicable.

- C. *The requested relief will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely the use of neighboring property (X § 901.2).*

Granting this relief from the required mitigations for significantly excess parking will be in harmony with the general purpose and intent of the Zoning Regulations and Maps. In consultation with DDOT, the Applicant will commit to a mitigation package commensurate with the amount of parking in the Project, appropriate for the neighborhood's needs, and consistent with the District's current transportation policies. The Project will provide most of the mitigations required by § 707.3(a), so the relief is limited to only what deviations are appropriate for this Project. The Applicant's traffic consultant will work with DDOT to ensure that the mitigation commitments will best limit the impacts of the Project's excess parking. Thus, granting relief to allow the Applicant to provide alternative mitigations to some of those in Subtitle C § 707.3(a) will be consistent with the intent of the Zoning Regulations and will not adversely affect neighboring properties.

IV. Conclusion

There is strong community support for the Project and the requested special exceptions. Since the application was filed, the Applicant presented the it to ANC 2E. ANC 2E supported all three requested special exceptions, and the Applicant expects that the ANC will submit a letter in support to the record before the public hearing.

The information herein is intended to supplement the information provided in the original application materials. As this information and the original materials demonstrate, this application satisfies the criteria for granting of the three requested special exceptions.

Respectfully submitted,

GOULSTON & STORRS, PC

_____/s/_____

Cary Kadlecek

Certificate of Service

The undersigned hereby certifies that copies of the foregoing documents were delivered by electronic mail to the following on April 7, 2021.

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