

May 18, 2022

Via JZIS

Board of Zoning Adjustment
441 4th Street, N.W.
Suite 210S
Washington, DC 20001

**Re: Response to DDOT and Removal of Variance Relief - BZA Case No. 20710 – 2340
Ainger Place, SE**

Dear Chairperson Hill and Members of the Board:

The Applicant is requesting to withdraw the request for variance relief from C-305.3(b) based on a recent email from Zoning Administrator, Matt LeGrant, regarding the driveway. The driveway can be excluded from the requirement and therefore relief is not needed. While the provision seems relatively clear, the Applicant was waiting for the official confirmation from the ZA to withdraw relief after a discussion during a PDRM where a reviewer did not provide a definitive determination on this point. The Zoning Administrator's email confirmation is being included with this submission as well as an updated self-certification.

Also, in response to DDOT's report (Exhibit 21), the Applicant is submitting a TDM Plan adopting the measures proposed by DDOT. The Applicant would also like to clarify that the plans do show compliant short-term and long-term bike parking, as well as the fence requested by DDOT. The Applicant is submitting additional diagrams demonstrating where the request for screening is needed.

DDOT Report page 1: "DDOT objects to the request for parking lot screening relief (Subtitle C § 714.2(a)). A fence or landscaping should be installed along the Ainger Place SE property line immediately adjacent to the row of parking to minimize the view of pavement and vehicles from the public sidewalk."

Response: The Applicant is providing a fence along the Ainger Place property line immediately adjacent to the row of parking to minimize the view of pavement and vehicles from the sidewalk as requested by DDOT. The fence is shown on A200 (site plan) on the Plans in Exhibit 19B. The requested screening relief is so that the Applicant does not have to provide screening between the sidewalk directly abutting Building A to the southeast—not the sidewalk along Ainger.

A diagram has been included with this submission to show where we are providing the required screening. The lines in **green** show where the Applicant is proposing a fence along Ainger and between the adjacent property as requested by DDOT. The lines in **red** show the locations of where screening is required, but not being provided. The relief relates to the required internal screening on the lot between Building A and sidewalk directly touching Building A, and the walkway to Building B. This is to allow for safe egress from the parking area to respective

buildings. While this may not have been the intent of the regulation, DCRA is interpreting the screening requirements to apply to those areas as described in more detail in the prehearing statement.

DDOT Report Page 3:

“DDOT estimates the Applicant is required by zoning to provide six (6) long-term bicycle parking spaces and two (2) short-term bicycle space. Per the Applicants Architectural Plans, the Applicant is providing one (1) short-term and no long-term bicycle parking spaces. The Applicant is providing one (1) short-term bicycle parking spaces (one (1) inverted U-rack) in private space on the side of the building. DDOT requests the Applicant to provide at the required bicycle parking spaces to provide residents with alternative transportation methods.”

Response: The proposed project has 21 units. The short-term bike parking requirements for a 21-unit building is in the chart in C-802.1 (1 space per 20 units: $21/20=1.05= 1$ space). The long-term bike parking requirements for the long-term bike parking is also in that same chart (1 space per 3 units). Building A has 13 units; $13/3= 4.33$, therefore, 4 long-term bike parking spaces are required in Building A. Building B has 8 units; $8/3= 2.66$, therefore, 3 long-term bike parking spaces are required in Building B. As shown on Pages A002 and A210 of the Plans in Exhibit 19B, 4 long-term bike parking are being provided in the cellar level of Building A and 3 long-term bike spaces are being provided in the cellar level of Building A. Accordingly, the long-term and short-term bicycle parking requirements are satisfied.

Alexandra Wilson

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Sullivan & Barros, LLP

Date: May 18, 2022

CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2022, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

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