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February 15, 2012

Hand Delivery

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

Re Request for Extension of Application No. 17964
6100 - 6120 Georgia Avenue, N W (Square 2940, Lots 801, 802, 808, and 812)

Dear Members of the Board

The purpose of this letter is to request a two-year extension of the effectiveness of the Order of the Board in BZA Application No. 17964. An authorization letter from the owner of the Subject property is attached hereto as Exhibit A. A copy of Order No. 17964, which was final on March 2, 2010, is Exhibit B to this letter. A check made payable to the D.C. Treasurer in the amount of \$1,352.00, which is 26% of the original filing fee as required by §3180.1(f), is also enclosed.

This extension is requested pursuant to §3130.6 of the Board's rules, which allows the Board to grant a two-year extension of the time periods set forth in §3130.1 for good cause shown. As set forth below, there is good cause shown for the request.

Compliance with Section 3130.6, et seq.

Pursuant to §3130.6, the Board may grant one extension of the time periods in §3130.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval; provided, that the Board determines that the following requirements are met:

(a) "The extension request is served on all parties to the application by the applicant and all parties are allowed 30 days to respond;"

A copy of the extension request has been served on the Office of Planning and Advisory Neighborhood Commission 4A, the only party to the application.

(b) "There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board justification for approving the original application,"

In requesting this extension of the Order, there have been no substantial changes in any of the material facts upon which the Board based its original approval of the application. There have been no changes to the zone district classification applicable to the property or to the Comprehensive Plan affecting this site since the issuance of the Board's Order.

BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 17964
EXHIBIT NO. 71

Board of Zoning Adjustment
District of Columbia
CASE NO. 17964
EXHIBIT NO. 71

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(c) "The applicant demonstrates that there is good cause for such extension with substantial evidence of one or more of the following criteria:

In this case, the Applicant has been unable to move forward with development of the site thus far due to an inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control (§3130 6(c)(1)) and other conditions, circumstances, and factors beyond the Applicant's reasonable control (§3130 6(c)(3))

As detailed in the affidavit and supporting materials attached hereto as Exhibit C, the Applicant has been working diligently to secure financing and to move forward with development of the site since the BZA approval. With respect to financing, the Applicant provided a marketing package to a number of potential investors and lenders, and initially received expressions of interest from a number of sources, including Bank of America/Merrill Lynch, Low Income Investment Fund, United Bank, Red Capital Group, and Self-Help. However, due to the drastic changes in the economy, frozen lending markets, and overall residential housing market conditions, none of these sources have yet been willing to close on financing the project. In addition, the Applicant was unable to secure 9% Low Income Housing Tax Credits and Department of Mental Health grant funds offered through the D.C. Department of Housing and Community Development since the BZA order approving the development was issued after the deadlines set forth in the RFP.

The affidavit also details the steps that the Applicant has taken to move the project forward, including converting the approved BZA plans into construction drawings. However, as detailed in the affidavit and supporting materials, a dispute arose between the owner and the project architect, and thus the owner had to terminate that relationship. The owner has recently contracted with a new architectural firm to move forward with the project.

The Applicant has continued its efforts to obtain financing for the project, and has recently received a letter of interest from an investor to purchase a limited partnership interest in the project, subject to certain conditions. Although the terms have not been fully-negotiated and memorialized yet, securing this renewed interest in the project is one of the critical hurdles necessary for moving forward with the project. However, the Applicant still needs the requested extension in order to work with the investor to negotiate the terms of the deal, to ultimately execute the necessary financing documents, and to seek additional sources of funding. The Applicant also needs the additional time requested so that the new architect can move forward with preparation of construction drawings necessary to proceed with the project and to file a building permit as soon as possible after the financing agreements are finalized and the funds are issued. Once that process is completed, the Applicant will also be able to finalize a construction contract with the project's general contractor and builder.

The regulations further provide in § 3130.7 that "No extension granted by the Board shall be valid for a period longer than the original approval." The requested extension is for a period of two years, the same as that given for the original approval.

Pursuant to §3130 9, a request for a time extension filed at least 30 days prior to the date upon which an order is due to expire shall toll the expiration date for the sole purpose of allowing the

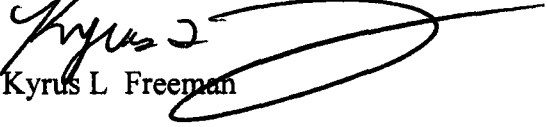
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Board to consider the request The Applicant is filing this request within the 30 period, but pursuant to § 3100.5, the Applicant requests that the BZA exercise its flexibility and continue to toll the expiration date of Order No. 17964 until the Board considers this request. Due to reductions in staffing and the reallocation of work responsibilities, the Applicant, which is a church and not traditionally involved in real estate development, and its team needed additional time to verify key information relied upon in the affidavit supporting this extension request, and was therefore unable to file its completed request for an extension at least 30 days prior to the order's expiration. Moreover, tolling the expiration to allow the Board to consider this request will not prejudice the rights of any party and is not otherwise prohibited by law.

We believe that the facts recited above provide sufficient basis under §§3130.6, et seq. for the Board to grant the requested extension and we respectfully request that the Board do so.

Very truly yours,


Kyrus L. Freeman

cc: Advisory Neighborhood Commission 4A (via U.S. Mail)
Karen Thomas, D.C. Office of Planning (via Hand)

EMORY BEACON OF LIGHT

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DATE 2/14/12

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FOR

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