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October 17, 2002

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VIA HAND DELIVERY

Zoning Commission for the  
District of Columbia  
441 4th Street, N.W., Suite 210S  
Washington, D.C. 20001

Re: Zoning Commission Case No. 01-07C  
Planned Unit Development and Public Space Utilization Act Approval  
1700-1730 K Street, N.W.

Dear Members of the Commission:

On behalf of Commerce Building Associates and Riddell Building Joint Venture, the Applicants in the above-referenced Planned Unit Development ("PUD"), we hereby request that the Zoning Commission initiate review of the PUD housing linkage policy in accordance with Finding No. 44 and Condition No. 4 of Zoning Commission Order 961.

By Order No. 961, which was published on June 28, 2002 in the *D.C. Register*, the Zoning Commission approved the above-referenced PUD. Condition No. 4 on page 18 of the Order requires the Applicants to enter into a Contract Construction Agreement with Jubilee Enterprise of Greater Washington ("Jubilee") for the substantial rehabilitation of a minimum of 12,369 square feet of dwelling units at the Trenton Park Apartment Complex. As indicated in Finding of Fact Nos. 30 through 44, the Applicants proposed to contribute \$320,000 to Jubilee for the benefit of the Trenton Park Neighborhood Corporation ("TNPC"). Representatives of both Jubilee and TPNC testified that no additional funding is needed for the substantial rehabilitation proposed. Nevertheless, the Office of Planning ("OP"), based upon its view of the total cost of rehabilitation for the property, suggested that the Applicants should contribute \$520,470 in order to accomplish the rehabilitation of the project. The Applicants opposed OP's methodology for determining the greater amount, arguing that it is inconsistent with the legislative history and intent of the existing provisions for housing linkage contained in Chapter 24 of the Zoning Regulations.

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District of Columbia

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Exhibit 52

**ZONING COMMISSION**  
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EXHIBIT NO.52

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As a consequence of the disputed calculations, the Applicants determined to voluntarily contribute \$520,470 to Jubilee with the understanding that they would not have to pay the additional amount if, upon further consideration of the housing linkage policy, the Zoning Commission determines that a lesser amount would suffice. This is described in detail in Finding of Fact No. 44 and Condition No. 4 of the Order, a copy of which is attached for the convenience of the Commission.

In light of the findings and conditions of the Order, the Applicants respectfully request the Zoning Commission to initiate review of the housing linkage policy, with the full participation of OP, in order to resolve this outstanding issue as expeditiously as possible. In the interim, the Applicants will contribute \$520,470 to Jubilee, of which \$320,000 will be paid to TPNC. The balance will be held in escrow pending resolution of the housing linkage policy and a determination of whether a contribution of a lesser amount to Jubilee would suffice.

Thank you for your expeditious consideration of this request.

Respectfully submitted,



Wayne S. Quin



Carolyn Brown

Enclosure

cc: Mr. Andrew Altman  
Ms. Ellen McCarthy