



June 24, 2005

BY MESSENGER

Ms Carol J Mitten
Chairperson
Zoning Commission
441 4th Street, N W , Room 210
Washington, DC 20001

Re Zoning Commission Case No 05-02, Residential Recreation Space

Dear Chairperson Mitten

The Jair Lynch Companies has been in the business of developing residential and mixed use projects in the District of Columbia for over 7 years, particularly in underserved and revitalizing neighborhoods. Recently, my firm was designated by NCRC (RLA Revitalization Corporation) as the developer of Parcel 34. This site is located on 14th Street, N W above Florida Avenue, N W in the Columbia Heights community. We propose to develop a five story, mixed use project with ground floor retail uses and a large amount of residential use. NCRC and we believe that this project will be a great benefit to the Columbia Heights community.

Unfortunately, the Residential Recreation Space (RRS) requirements will significantly and adversely affect this development project because of the large amount of space – fifteen percent (15%) of the GFA devoted to residential use – that must be dedicated to active or passive recreation space. Because the residential GFA of the Parcel 34 project is approximately 65,000 square feet, 9,750 square feet must be set aside for something most unit owners do not want, namely, a party room, a small exercise space with limited equipment and a roof deck for sun bathing.

We acknowledge that it is physically possible to provide some outdoor RRS in a rear yard or on the roof. But we seriously question why we are being required to do so. Not only is such space not desired by residential tenants but the costs of adding a rooftop amenity involving added structural loading, fall protection, egress, and elevator access are costs that are burdensome and could be more effectively allocated to additional residential units and private recreation space in the form of balconies and patios. Furthermore, the costs of the operation, insurance, maintenance, repair and replacement of such space and such facilities is passed on – in the form of rent or condo fees – to the residential tenants, whether or not they make use of such RRS.

The RRS requirements, which I am advised were adopted over 25 years ago, are a relic from the past. Today's residents want to (i) go for a walk or run in the neighborhood, (ii) ride a



bicycle to a nearby park or (iii) use the extensive facilities of a professionally-managed health club that also offers yoga, aerobics, spinning and other classes. They also want to be out and about engaging in shopping, dining, the theatre, movies and other cultural, business and civic activities – and public policy should encourage such activity in order to make the District's sidewalks and streets active and vibrant.

I urge you and the other Commissioners to bring this aspect of the Zoning Regulations up to date. Please consider abolishing the RRS requirement altogether. If you are unwilling to do so, I suggest that at a minimum you should reduce it to a uniform three percent (3%) in all commercial zones.

Thank you for this opportunity to submit my comments for the record.

Best regards,

THE JAIR LYNCH COMPANIES



Jair K. Lynch
President & CEO

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