



September 25, 2015

D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington, D.C. 20001

Re: Comments to Zoning Regulation Rewrite
ZC Case No. 08-06A (Title 11, Zoning Regulations - Comprehensive Text Revisions)

Dear Members of the Commission:

This letter is submitted to provide comments to the proposed Zoning Regulation Rewrite ("ZRR") on behalf of The Donohoe Companies, Inc., a full service real estate services and construction company which has been operating in the District of Columbia for over 130 years. Donohoe and its affiliates owns and/or manages over 2.25 million square feet of commercial real estate located within the District of Columbia.

First, we support the vesting provisions identified in Subtitle A. However, we request that the Zoning Commission consider a delayed effective date following the publication of the new regulations. A transition period of at least six months is necessary to protect the pre-permit investment of the development community. This delayed effective date is critical given the time it takes to design and develop a building. Specifically, because the ZRR has been ongoing for a long period of time, we are designing existing projects in accordance with the current Zoning Regulations due to uncertainty with the timing of ZRR. To apply these new regulations to a project fully designed in accordance with existing regulations will adversely impact projects caught in the middle and will delay important development within the city. Accordingly, we support a transition period of at least six months from the date of publication of the ZRR.

In addition, we address the density permitted in the D-6 zone. In § 555.1 of proposed Subtitle I, the maximum permitted FAR is specified as either 8.5 or 10.0, depending upon the width of the street abutting the property. However, § 555.4 limits the density to 6.5 FAR unless credits are used. Currently, the permitted non-residential density for these properties (which are within the C-4 Zone) is 8.5 FAR or 10.0 FAR depending upon street frontage, with no requirement to utilize credits to reach the maximum density. See § 771.2 and § 771.5 of Title 11.

2101 Wisconsin Avenue, NW
Washington, DC 20007
T 202.333.0880

It is our understanding that the proposal to include C-4 properties in D-6 was not intended to require the acquisition of credits to reach the maximum density. Accordingly, § 554.1 should be deleted or should be amended to reflect the existing provision of Title 11.

We appreciate your consideration of these comments and recommendations. We appreciate the Commission and the Office of Planning's work on the ZRR and look forward to continuing to work with the Office of Planning as the process moves forwards.

Sincerely,

A handwritten signature in black ink, reading "Robert B. Donohoe, Sr." in a cursive style.

Robert B. Donohoe, Sr.
Chairman