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April 23, 2021

VIA IZIS

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

**Re: Request for an Administrative Approval of a One Year Time Extension
Z.C. Case No. 08-34 – Capitol Crossing Center Block
Square 566, Lots 861 and 862 (part of Record Lot 50)**

Dear Members of the Commission:

This letter is submitted on behalf of Capitol Crossing III LLC and Capitol Crossing IV LLC (together, the “Applicant”)¹ for administrative approval of a one-year time extension of Z.C. Order No. 08-34 regarding property located at Square 566, Lots 861 and 862 (part of Record Lot 50) (together, the “Property”).²

As required by Subtitle Z § 1600.10(b), a filing fee of \$1,000 is included with this application. In addition, authorization letters from the Applicant are attached at Exhibit A.

I. PUD Approval and Expiration Date

Pursuant to Z.C. Order No. 08-34, effective as of July 1, 2011, the Zoning Commission approved the overall Capitol Crossing development project, which included approval of a first-stage PUD to develop (i) Lot 861 with a new commercial building containing office use with ground floor retail; and (ii) Lot 862 with a new residential building with ground floor retail. Pursuant to Z.C. Order No. 08-34K, effective as of October 30, 2020, the Zoning Commission approved a Modification of Significance for Lot 861 to add lodging and college/university educational uses to the permitted uses in the commercial building.

¹ The applicant in Z.C. Case No. 08-34 was Center Place Holdings LLC, on behalf of the District of Columbia through the Office of the Deputy Mayor for Planning and Economic Development. Capitol Crossing III LLC and Capitol Crossing IV LLC are the current owners of the Property.

² A division of lots application is currently pending before the Office of Tax and Revenue that would resolve an inaccurate lot line location and give Lot 861 a new designation of Lot 864.

Pursuant to Z.C. Order No. 08-34, Decision No. C.28, second-stage PUD application(s) for the Property must be filed “no later than ten years from the effective date of this Order” (*i.e.* no later than July 1, 2021).

II. Parties

The only parties to Z.C. Case Nos. 08-34 and 08-34K were the Applicant and the affected Advisory Neighborhood Commissions 2C and 6C. The list of parties is attached at Exhibit B.

III. Request for Administrative Approval of One-Year Extension

On November 19, 2020, the Zoning Commission took emergency action to approve text amendments in Z.C. Case No. 20-26 that provided for the administrative extension of the validity of Zoning Commission and BZA orders scheduled to expire between November 27, 2020, and April 27, 2021, due to complications of the Covid-19 pandemic.

On April 19, 2021, the Zoning Commission took emergency action to approve additional text amendments in Z.C. Case No. 20-26A, which would extend the eligibility for administrative extensions of the validity of Zoning Commission and BZA orders to include orders scheduled to expire between April 27, 2021, and December 31, 2021.

As stated above, the first-stage PUD approval for the Property approved in Z.C. Order No. 08-34 will expire on July 1, 2021, and therefore falls within the timeframe contemplated in Z.C. Case No. 20-26A. Accordingly, the Applicant requests a one-year extension of the deadline to file second-stage PUD application(s) for the Property pursuant to Subtitle Z § 705.9.

The Applicant requests the extension due to the Covid-19 pandemic which has had major impacts on the District’s downtown core and the development market specifically. As a result of the uncertain and unprecedented market conditions, and the continued uncertainty with moving forward and processing second-stage PUD applications for the Property, the Applicant seeks a one-year extension of the approval, such that deadline for filing the second-stage PUD application(s) for the Property will be no later than July 1, 2022.

Based on the foregoing information we respectfully request that the Director approve this request for an administrative approval of a one-year time extension to Z.C. Order No. 08-34 regarding the Property.

Sincerely,

HOLLAND & KNIGHT, LLP



Christine M. Shiker.



Jessica R. Bloomfield

cc: Certificate of Service
Joel Lawson, Office of Planning (via Email w/ attachments)
Anne Fothergill, Office of Planning (via Email w/ attachments)

CERTIFICATE OF SERVICE

I hereby certify that on April 23, 2021, a copy of the foregoing Covid extension application was served by electronic mail on the following at the addresses stated below:

Jennifer Steingasser
D.C. Office of Planning
1100 4th Street, SW – Suite 650 East
Washington, DC 20024

Advisory Neighborhood Commission 2C
2C@anc.dc.gov

Advisory Neighborhood Commission 6C
6C@anc.dc.gov


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