

# Holland & Knight

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April 15, 2020

## **VIA IZIS**

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

**Re: Request for Expedited Review  
Z.C. Case No. 16-06D - Modification of Consequence to Design Review  
1900 Half Street, SW (Square 666, Lot 15)**

Dear Members of the Commission:

On behalf of JEMAL/PTM LAZRIV WATER II L.L.C. (the “Applicant”), the owner of property located at 1900 Half Street, SW (Square 666, Lot 15) (the “Property”), we hereby request that the Zoning Commission expedite its review of the above-referenced Modification of Consequence application. As described below, all parties to the case, the Office of Planning (“OP”), and the District Department of Transportation (“DDOT”) have already submitted responses to the application and are in support of the Applicant’s request, including its request for considering the application as a Modification of Consequence. Therefore, the application can properly be heard by the Commission because the record is already complete.

1. Support from Parties (ANC)

Pursuant to 11-Z DCMR § 703.13, the Applicant served the application on all parties in the original case, which was only Advisory Neighborhood Commission (“ANC”) 6D. *See* Certificate of Service (Ex. 2, p. 8). At the ANC’s April 13, 2020 virtual public meeting, the ANC voted 4-0-2 to support the case as a Modification of Consequence with the “caveat that lease terms permit returning some of the space to retail if Eagle [Academy] does not meet target enrollment numbers in five years.” *See* ANC 6D Resolution (Ex. 8). The Applicant agrees to this condition. Thus, the only party to the original case has already reviewed and supported the application.

2. Support from OP and DDOT

In addition, OP and DDOT have both submitted responses to the application:

- OP submitted a report dated March 20, 2020 (Ex. 4) which supported the Applicant's request for the Commission to waive 11-Z DCMR §§ 703.5 and 703.6 to permit the proposed change in use to be processed as a modification of consequence. The OP report supported the request with no concerns or conditions stated.
- DDOT submitted comments via email on March 20, 2020 (Ex. 6) which stated that it did not object to approval of the application as a modification of consequence with the following two conditions:
  - The Applicant will implement the TDM plan identified in the Applicant's Traffic Study (Ex. 7); and
  - The Applicant will implement the school pick-up/drop-off plan outlined in the Applicant's Traffic Study (Ex. 7) and coordinate with DDOT's Safe Routes to School Program in the future if the plan needs to be changed.


The Applicant agrees to both of the conditions in DDOT's email.

Given the current State of Emergency with an unknown end date and the need for Eagle Academy to open in time for the 2020 academic school year (as detailed in the Applicant's Statement in Support at Ex. 2), **the Applicant respectfully requests that the Commission deliberate on the merits of the application at its April 27, 2020 virtual public meeting. In doing so, the Applicant also requests that the Commission simultaneously waive the provisions of 11-Z DCMR §§ 703.5 and 703.6 to permit a change in use to be processed as a Modification of Consequence without a hearing.**

Thank you for your consideration of this request and continued review of the subject application.

Sincerely,

HOLLAND & KNIGHT LLP

By:   
Norman M. Glasgow, Jr.  
Jessica R. Bloomfield

cc: Certificate of Service  
Joel Lawson, Office of Planning (via Email)  
Elisa Vitale, Office of Planning (via Email)  
Aaron Zimmerman, DDOT (via Email)

**CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2020, electronic copies of the foregoing letter were served on the following:

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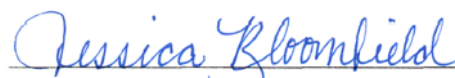
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