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September 9, 2017

VIA IZIS

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

Re: **Z.C. Case No. 16-23**
Valor Development, LLC – Voluntary Design Review
Request to Revise Application Boundary

Dear Members of the Zoning Commission:

On behalf of Valor Development, LLC (the “Applicant”), and for the reasons described below, the purpose of this letter and the attached revised Form 107 (Application for Design Review) are to amend the boundary of the subject voluntary design review application to include Lot 806 in Square 1499 at the request of the Office of Planning (“OP”). As originally filed, this application includes Lots 802, 803 and 807. Lots 806 and 807 together comprise Record Lot 9. Following submission of the subject application, OP informed the Applicant that the project boundary could not just include a portion of Record Lot 9 (i.e. only A&T Lot 807), while at the same time rely upon the entire record lot (i.e. A&T Lots 806 and 807) for zoning calculation purposes. In addition, OP stated that a project cannot result in the creation of a non-conformity for a building or property outside of the project boundary even if the non-conformity is within the same record lot unless relief from the non-conformity is obtained from the Commission. As described in the Background section of the Applicant’s initial statement (Exhibit 3), A&T Lots 806 and 807 have a lengthy zoning history related to the construction of building that is now the former AU Law Building that, by way of a recorded allocation of development rights agreement that remains in effect, allocated the majority of nonresidential density that is permitted on Record Lot 9 to A&T Lot 806. As such, given the guidance provided by OP, and the zoning history and continued existence of the recorded agreement between A&T Lots 806 & 807, the Applicant has worked with AU on a set of agreed-upon terms that has resulted in AU agreeing to have A&T Lot 806 included in the subject application. The Applicant has confirmed with OP that the inclusion of A&T Lot 806 in the project boundary addresses the questions raised by OP as it will align existing lot boundaries and the project boundary for zoning calculation purposes and avoid the creation of any non-conformities outside of the project boundary by the voluntary design review project.

ZONING COMMISSION
District of Columbia
CASE NO.16-23
EXHIBIT NO.67

In support of this amendment to the boundary of the Applicant's voluntary design review application, please find attached the following exhibits:

- Revised Form 107 – Application for Design Review, 11-Z DCMR § 301.10(a) (Exhibit A);
- Revised surveyor's plat of the subject property showing existing and proposed improvements, 11-Z DCMR § 301.10(b) (Exhibit B);
- Revised listing of name and addresses of the owners of all property located within two hundred feet (200 ft.) of the amended project boundary, 11-Z DCMR § 301.10(m) (Exhibit C);
- Letter of authorization from AU, owner of A&T Lot 806, 11-Z DCMR § 200.2 (Exhibit D);

Thank you for your consideration of this request.

Respectfully Submitted,

HOLLAND & KNIGHT LLP



Christopher H. Collins

cc: Jennifer Steingasser, Office of Planning (via email)
Joel Lawson, Office of Planning (via email)
Elisa Vitale, Office of Planning (via email)
Anna Chamberlin, District Department of Transportation (via email)
Aaron Zimmerman, District Department of Transportation (via email)
Advisory Neighborhood Commission 3E (via email)
Advisory Neighborhood Commission 3D (via email)