

# Holland & Knight

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October 25, 2020

## **VIA IZIS**

Zoning Commission for the  
District of Columbia  
441 4<sup>th</sup> Street, NW, Suite 210S  
Washington, D.C. 20001

**Re: Z.C. Case No. 20-06  
Proposed Timeline for Senior Programming Proffer**

Dear Members of the Commission:

On behalf of Felice Development Group (the “Applicant”), we hereby submit this letter to address the Office of Planning’s (“OP”) comment in its Supplemental Report, dated October 5, 2020, regarding the timeline for the delivery of the above-referenced proffer. (Ex. 74 at p. 2.) During its deliberations, prior to taking proposed action at public meeting on October 15, 2020, the Commission also advised the Applicant to provide information responsive to OP’s request.

In its Post-Hearing Statement, the Applicant revised its proffer related to senior programming to include an expenditure of \$225,000 to cover the cost of professional services related to efforts to secure a site for an adult daycare center in the Capitol Hill neighborhood of Ward 6 or Hill East Reservation 13. (Ex. 70 at p. 10.) In its Supplemental Report, OP concluded that the study and report that would result from the latter contribution would qualify as the proffer. OP further stated that “[t]he applicant should detail a timeline for the delivery of the study and report that would be compliant with [Subtitle X] Section 305.3(b).” In response, the Applicant proposes the following projected timeline:

- 2<sup>nd</sup> Quarter 2021 – The Applicant will seek clarification and/or confirmation of compliance reporting with the Zoning Administrator. Thereafter, the Applicant will put forth its best efforts to identify non-profit(s) and other professionals/consultants to provide data and demographic information necessary to support an adult day care center use, as stated in the proffer.
- 3<sup>rd</sup>/4<sup>th</sup> Quarter 2021 – The Applicant will interface with selected non-profit(s) and consultants for the collection of data and demographic information.

- 1<sup>st</sup> Quarter 2022 – The Applicant will supply those reports, data and/or demographic information, services, and payments generated in compliance with Sub. X, Sec. 305.3 of the Zoning Regulations.

Per Subtitle X Section 305.3(d), the Applicant must fulfill the senior programming proffer before issuance of the certificate of occupancy; nevertheless, the Applicant intends to use best efforts to proceed under the foregoing timeline. Please note that the projected timeline assumes the issuance of the final written Zoning Commission Order and the expiration of all applicable appeal periods by the end of the First Quarter of 2021. If those procedures are delayed, the timeline would be adjusted accordingly.

Thank you for your considerate attention to this matter. We remain hopeful of the Commission's final approval of the application.

Sincerely,  
HOLLAND & KNIGHT LLP



Leila M. Jackson Batties  
Christopher S. Cohen

cc: Certificate of Service (via email)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 25, 2020 a copy of the Applicant’s post-hearing submission related to projected timeline for the senior programming proffer was submitted into the public record for Z.C. Case No. 20-06 via IZIS, and was served on the following persons:

**Zoning Commission for the  
District of Columbia**  
441 Fourth Street, NW  
Washington, D.C.

VIA IZIS

**D.C. Office of Planning**  
c/oMr. Stephen Cochran  
[stephen.cochran@dc.gov](mailto:stephen.cochran@dc.gov)

VIA EMAIL dated 10/25/2020

**Advisory Neighborhood Commission 6B**  
c/o Commissioner Brian Ready  
[6b03@anc.dc.gov](mailto:6b03@anc.dc.gov)

VIA EMAIL dated 10/25/2020

**Commissioner Corey Holman**  
Single-Member District 6B-06  
[6b06@anc.dc.gov](mailto:6b06@anc.dc.gov)

VIA EMAIL dated 10/25/2020



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