



**BEFORE THE ZONING COMMISSION OR
BOARD OF ZONING ADJUSTMENT FOR THE DISTRICT OF COLUMBIA**



FORM 150 – MOTION FORM

**THIS FORM IS FOR PARTIES ONLY. IF YOU ARE NOT A PARTY PLEASE FILE A
FORM 153 – REQUEST TO ACCEPT AN UNTIMELY FILING OR TO REOPEN THE RECORD.**

Before completing this form, please review the instructions on the reverse side. Print or type all information unless otherwise indicated. All information must be completely filled out.

CASE NO.: Z.C. Case No. 20-14

Motion of: Applicant Petitioner Appellant Party Intervenor Other _____

PLEASE TAKE NOTICE, that the undersigned will bring a motion to:

Re-open the case record to submit an update on the Applicant's voluntary (non-IZ) affordable housing commitment per further discussions with OAG as requested by the Zoning Commission at the January 14, 2021 public meeting See attached.

Points and Authorities:

On a separate sheet of 8 1/2" x 11" paper, state each and every reason why the Zoning Commission (ZC) or Board of Zoning Adjustment (BZA) should grant your motion, including relevant references to the Zoning Regulations or Map and where appropriate a concise statement of material facts. If you are requesting the record be reopened, the document(s) that you are requesting the record to be reopened for must be submitted separately from this form. No substantive information should be included on this form (see instructions).

Consent:

Did movant obtain consent for the motion from all affected parties?

- Yes, consent was obtained by all parties Consent was obtained by some, but not all parties
 No attempt was made Despite diligent efforts consent could not be obtained

Further Explanation: _____

CERTIFICATE OF SERVICE

I hereby certify that on this 20 20 day of January Month, 20 0 20 1Y

I served a copy of the foregoing Motion to each Applicant, Petitioner, Appellant, Party, and/or Intervenor, and the Office of Planning

in the above-referenced ZC or BZA case via: Mailed letter Hand delivery E-Mail Other _____

Signature: *Jessica Bloomfield*

Print Name: Jessica Bloomfield, Holland & Knight LLP

Address: 800 17th Street, NW #1100 Washington, DC 20006

Phone No.: 202-469-5272

E-Mail: jessica.bloomfield@hklaw.com

ZONING COMMISSION
 District of Columbia
CASE NO. 20-14
EXHIBIT NO. 66

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January 26, 2021

VIA IZIS

Zoning Commission
of the District of Columbia
441 4th Street, NW - Suite 210
Washington, DC 20001

**Re: Request to Re-Open Case Record to Submit Affordable Housing Update
Z.C. Case No. 20-14 - Design Review
5 M Street, SW (Square 649, Lots 43, 44, 45, and 48)**

Dear Members of the Zoning Commission:

On behalf of VNO South Capitol LLC and Three Lots in Square 649 LLC (together, the “Applicant”), and pursuant to 11-Z DCMR § 602.6, we hereby submit Form 150 requesting that the Zoning Commission re-open the record of Z.C. Case No. 20-14 for the Applicant to submit an update on its discussions with the Office of the Attorney General (“OAG”) following the Zoning Commission’s public meeting on January 14, 2021, regarding the Applicant’s voluntary (non-Inclusionary Zoning (“IZ”)) affordable housing commitment.

The Commission may, for good cause shown, waive any of the provisions of Subtitle Z if, in the judgment of the Commission, the waiver will not prejudice the rights of any party and is not otherwise prohibited by law. 11-X DCMR § 101.9. Moreover, the Commission may receive supplemental material after the close of the record that bears upon the substance of the application if the materials are accompanied by a separate request to re-open the record and if the request demonstrates good cause and the lack of prejudice to any party. 11-Z DCMR § 602.6.

Good Cause. There is good cause to re-open the record and accept the Applicant’s filing because it will clarify how the voluntary non-IZ affordable housing proposed by the Applicant will be evidenced for the life of the project. The Applicant discussed the specific terms with OAG, which was specifically requested by the Zoning Commission at its public meeting of January 14, 2021.

No Prejudice to Any Party. The submission of the materials will not prejudice any party. The only party that raised an issue with the project’s affordable housing was ANC 6D. The

materials to be submitted will explain how the Applicant's commitment to provide non-IZ affordable housing would be evidenced for the life of the project, which benefits the ANC.

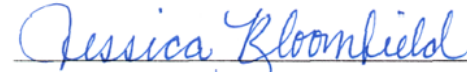
Thank you for the Commission's consideration of this request.

Sincerely,

HOLLAND & KNIGHT, LLP



Christine M. Shiker.



Jessica R. Bloomfield

cc: Certificate of Service
Joel Lawson, Office of Planning (via email, with attached form)
Steve Cochran, Office of Planning (via email, with attached form)
Anna Chamberlin, DDOT (via email, with attached form)
Aaron Zimmerman, DDOT (via email, with attached form)
Andy Litsky, ANC 6D04 (via email at 6D04@anc.dc.gov, with attached form)
Fredrica Kramer, ANC 6D05 (via email at 6d05@anc.dc.gov, with attached form)
Max Tondro, Office of the Attorney General (via email, with attached form)
Jacob Ritting, Office of the Attorney General (via email, with attached form)

CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2021, a copy of this letter was served on the following by email:

Ms. Jennifer Steingasser
jennifer.steingasser@dc.gov

Via Email

Advisory Neighborhood Commission 6D
6d@anc.dc.gov

Via Email

Mary Carolyn Brown
Counsel for 1101 South Capitol, LLC
cbrown@BrownLaw.law

Via Email


Jessica R. Bloomfield