

September 5, 2024

Anthony J. Hood, Chairman
District of Columbia Zoning Commission
441 4th Street, N.W.
Room 200S
Washington, DC 20001
dcoz@dc.gov

Re: **Z.C. Case No. 23-27: Letter Regarding Proposed Zoning Text and
Zoning Map Amendment for the Navy Yard East (NYE) Zone**

Dear Chairman Hood and Members of Zoning Commission:

The Department of the Navy (DON) is writing to withdraw its letter filed with the Zoning Commission on December 13, 2023 (Exhibit 3 in the record) relating to the Proposed Zoning Text and Zoning Map Amendment to Create a new Navy Yard East (NYE) Zone. The submission of the updated text amendment, as reflected in Exhibit 2A of the record, is in accordance with the Memorandum of Understanding and Statement of Land Use Review Process of the Washington Navy Yard O Parcels Site between the National Capital Planning Commission (NCPC), DON, and the Government of the District of Columbia dated April 22, 2024 (MOU), specifically Exhibit B of the MOU.

As briefly noted in the Office of Planning's revised set down report, as authorized under National Defense Authorization Act of Fiscal Year 2019, 115 Public Law 232, 132 Stat. 1636 (August 13, 2018), the Navy has conveyed the O Parcels through a long-term leasehold to a private development partner in exchange for certain parcels at the Southeast Federal Center. While the issue of whether zoning applies to future private development on the O Parcels remains unsettled between the parties, the parties executed the MOU to establish a process that allows for development on the O Parcels to proceed in a manner that is predictable, straightforward, and efficient.


The updated text amendment reflected in Exhibit 2A of the record is the result of a multi-year, public process involving a great deal of work and consideration from a wide range of stakeholders, including the Navy, the Office of Planning, and NCPC, among others. Notably, the updated text amendment was informed by NCPC's public review and approval process for the Washington Navy Yard Southeast Corner Master Plan, and the public input gained through the NEPA and Section 106 processes conducted by DON in connection with the future development of the O Parcels. The Navy also worked with the Office of Planning and the Office of the Deputy Mayor for Planning and Economic Development, and looks forward to continuing coordination with these and other District and Federal agencies.

The language reflected in the updated text amendment carefully balances the unique nature and complexity of DON's real estate transaction with NCPC's and the District's planning and development goals and objectives. Therefore, modifications to the language as proposed would potentially necessitate the Navy to reinstate its objection to these proceedings, and would threaten the agreement established under the MOU that zoning would be used as the mechanism to guide future development on the O Parcels.

We look forward to continuing the process with our District partners and achieving the vision set forth in the Washington Navy Yard Southeast Corner Master Plan and the MOU.

Sincerely,

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Name: Omarr E. Tobias

Title: Commanding Officer