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July 11, 2024

VIA IZIS

Mr. Anthony J. Hood, Chairperson
District of Columbia Zoning Commission
441 4th Street, NW, Suite 200-S
Washington, DC 20001

Re: Z.C. Case No. 23-29: Applicant's Clarification and Refinement of IZ Flexibility Request

Dear Chairperson Hood and Members of the Commission:

The above-referenced case is scheduled for a public hearing on July 22, 2024. Following further discussions with the Office of Planning (“OP”) regarding the Applicant’s request for flexibility to satisfy its Inclusionary Zoning (“IZ”) public benefit proffer (see Appendix A in Exhibit 2 in the case record), OP requested that the Applicant file into the record further clarification and refinement of the requested IZ flexibility. Accordingly, the Applicant hereby requests that the Zoning Commission accept this this filing into the record.

The Applicant previously requested the following flexibility with respect to IZ:

“To satisfy the IZ development standards under Subtitle C § 1005 and the IZ floor area set aside requirements across the entire Project as opposed to individual phases or Buildings, provided that the IZ units are not overly concentrated in any Building.”

The Applicant requested this flexibility to allow a Building to receive a building permit even if the residential floor area devoted to IZ units in that particular Building is less than 17%, as long as the entire Project, upon completion, devotes at least 17% of its residential floor area to IZ units. This flexibility primarily concerns new Building 1, where most of the existing tenants will be relocated in the first phase, which will especially limit market rate units. Thus, the requested flexibility will allow for some variability in how the PUD’s overall 17% IZ proffer will be

satisfied per Building so that a consistent mix of affordable and market rate units can be provided in each Building.

However, OP requested that the Applicant limit the flexibility per Building, a request to which the Applicant has agreed. Accordingly, the Applicant proposes that the requested IZ flexibility be revised as follows:

“To satisfy the IZ development standards under Subtitle C § 1005 and the IZ floor area set aside requirements across the entire Project as opposed to individual phases or Buildings, provided that **at least 13% of the residential floor area per Building is devoted to IZ units.**”

Note that this flexibility pertains to only the 60% MFI IZ units that are proffered as a public benefit of the PUD. Any 50% MFI IZ units that are required from penthouse habitable space will be determined and provided per Building.

We appreciate the Commission’s time and consideration of this matter. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Cary Kadlecek
Cary Kadlecek

/s/ Derick Wallace
Derick Wallace

/s/ Lee Templin
Lee Templin

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to the following by email on July 11, 2024:

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