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February 13, 2025

VIA IZIS

Zoning Commission
for the District of Columbia
441 4th Street, N.W., Suite 210-S
Washington, DC 20001

**Re: Z.C. Case No. 24-07 – Map Amendment to Rezone Square 5734, Lots 4–8, 10–20, 811, 813 and 815; & Square 5735, Lots 1–4 (the “Property”)
Applicant’s Response to Zoning Commission’s Request for Information**

Dear Members of the Zoning Commission:

On behalf of Skyland Place LLC (the “Applicant”), we hereby submit this response to the Zoning Commission’s (the “Commission”) request for additional information regarding Z.C. Case No. 24-07 (the “Application”) and the Applicant’s relocation plan.¹

The Commission took proposed action to approve the Application at its public hearing on December 9, 2024. On January 30, 2025, the Commission held a public meeting to consider taking final action on the Application. At the close of the public meeting, the Commission requested additional information from the Applicant regarding its relocation plan and the relocation plan’s potential impact on displacement. In response, the Applicant submits the following information:

I. The Applicant’s Relocation Plan Explained

The Applicant has carefully crafted a preliminary relocation plan that follows the Uniform Relocation Act. Notably, the plan prioritizes the on-site relocation of residents who will require temporary relocation, minimizes the impact on residents who may require temporary relocation off-site, and ensures the right of return for each tenant. As explained below, only 68 out of 224 total units will need to be temporarily relocated to accommodate the construction of Phase 1. All other residents will move directly from their existing unit to a brand new, on-site unit. The Applicant’s first and highest priority is to relocate existing residents on-site. To achieve this, the Applicant will

¹ The Applicant’s relocation plan can be found at [Exhibit 20A](#) of the Application’s case record.

hold on-site units vacant in advance of construction in order to maximize the number of on-site relocation units. Priority for on-site relocation will be given to seniors, residents with disabilities or special needs, and families with school-aged children. Only as necessary, the Applicant will relocate any remaining residents to one of the more than 1,500 off-site units (not including Skyland) the Applicant owns within Ward 8. In addition, the Applicant will cover all costs associated with the temporary relocation of Skyland residents, whether on-site or off-site. Further, the Applicant, in partnership with its property management company, will work closely with existing residents to ensure that any housing-related benefits, such as housing vouchers from Housing Choice Voucher Program (“HCVP”) and housing assistance from Department of Behavioral Health (“DBH”), Community of Hope, and Bread for the City are preserved during temporary relocation. Finally, the Applicant will engage an expert third-party relocation firm to finalize this relocation plan and assist in facilitating the temporary relocations.

The Applicant’s relocation plan, and eventual development of the Property, will occur in three phases, as follows:

a. Phase 1: Senior House Building B + Multifamily Building A

Residents will move from Buildings 1, 2, 3, 4, 5, 6, and 22 (which include a total of 68 units) into vacant units in Buildings 7-21 (which include a total of 156 units). Prior to the commencement of on-site relocation efforts, the existing units that become vacant in Buildings 7-21 will not be leased to new tenants, but will rather be made available for temporary relocation of residents moving from Buildings 1, 2, 3, 4, 5, 6, and 22. Any resident from Buildings 1, 2, 3, 4, 5, 6, and 22 that cannot be accommodated within the vacant units in Buildings 7-21, will be temporarily relocated to an off-site vacant unit within one of the many properties owned by the Applicant within Ward 8. As shown on the attached **Exhibit A**, the Applicant owns more than 1,500 units (not including Skyland) within Ward 8, and can also use any then-existing vacant units to temporarily accommodate relocated Skyland residents from Buildings 1, 2, 3, 4, 5, 6, and 22. Thus, the combination of vacant units in Buildings 7-21 and vacant units that the Applicant owns and operates nearby will be more than adequate to temporarily relocate the 68 units from Buildings 1, 2, 3, 4, 5, 6, and 22 either on-site or in close proximity to the site. In the unlikely event that any resident cannot be temporarily relocated on-site, or in a property owned by the Applicant, the Applicant can lease other units to temporarily accommodate residents.

The proposed new buildings in Phase 1 include Multifamily Building A (approximately 199 units) and Senior House B (approximately 41 units). Thus, Phase 1 will include a total of 240 new units, which exceeds the total number of units on site today and is more than adequate to provide permanent housing for temporarily relocated Skyland residents from Buildings 1, 2, 3, 4, 5, 6, and 22, and all Skyland residents on the Property.

The Applicant anticipates that the construction of the new buildings in Phase 1 will take approximately 18-24 months to complete. Upon completion of Multifamily Building A (approximately 199 units) and Senior House B (approximately 41 units),

the residents temporarily relocated from Buildings 1, 2, 3, 4, 5, 6, and 22 (i.e., 68 units) into Buildings 7-21 or off-site, and all other residents residing in Buildings 7-21 (i.e., those residents who originally lived in the buildings and were not relocated from another building), will move to the newly constructed Multifamily Building A (approximately 199 units) or Senior House B (approximately 41 units).

b. Phase 2: Multifamily Building C + Townhomes

Prior to the initiation of construction of the new buildings within Phase 2, any existing residents within the boundary of Phase 2 (i.e., Buildings 7-17) would have been relocated into the newly constructed Multifamily Building A (approximately 199 units) or Senior House B (approximately 41 units).

Upon the construction of Multifamily Building C (approximately 176 units) and the new Townhomes (approximately 11 units), existing residents in Buildings 18-21 (approximately 46 units), will have the option to move into the newly constructed Multifamily Building C (approximately 176 units), the new Townhomes (approximately 11 units), Multifamily Building A (approximately 199 units), or Senior House B (approximately 41 units).

c. Phase 3: Townhomes

Prior to the construction of the new buildings within Phase 3, any existing residents within the boundary of Phase 3 (i.e., Buildings 18-21 which contain a total of 46 units) will have been relocated to the newly constructed Multifamily Building C (approximately 176 units), new Townhomes (approximately 11 units), Multifamily Building A (approximately 199 units), or Senior House B (appx. 41 units).

Phase 3 includes the construction of 17 new, for-sale townhomes. Upon completion, the townhomes will be offered for sale to current residents and to other qualifying households.

Thus, the Applicant has carefully crafted a preliminary relocation plan which prioritizes on-site relocation for residents who will require temporary relocation, minimizes the impact on residents who may require temporary relocation off-site, and ensures the right of return for each tenant. The Applicant will work closely with Winn, the Applicant's management agent, and Enterprise Residential LLC, the property manager for off-site units to hold vacant units to ensure there are sufficient units both on-site and off-site in close proximity of the Property to accommodate any temporary relocation needs. Also, it is significant to note that of the existing 224 units, only the first 68 units (30%) will have to temporarily relocate on-site or off-site because all other 156 units (70%) will be able to stay on site and move directly into a new unit without having to relocate. Moreover, the Applicant anticipates working with a third-party relocation specialist, such as DELCK Group LLC (<https://delckgroup.com/>), Housing Opportunities Unlimited (<https://housingopportunities.com/>), or Housing To Home (<https://www.housingtohome.com/>) to help manage the relocation process. The Applicant also anticipates utilizing District and/or Federal funds to maintain the affordability levels for the Project, and the use of these funds trigger the

Uniform Relocation Act (“URA”), which will require District review and approval of the Applicant’s relocation plan. The District’s review and approval of the relocation plan will entail coordination with, and input from, District agencies, such as the DC Department of Housing and Community Development, which through its Office of Project Monitoring (<https://dhcd.dc.gov/service/project-monitoring>), monitors every development’s compliance with the URA, the Fair Housing Act, and other laws that protect tenant rights.

II. Displacement and the Comprehensive Plan

The Applicant’s proposed relocation plan is also consistent with the Comprehensive Plan. The Comprehensive Plan acknowledges that “[m]any of Washington, DC’s affordable housing developments are aging past their functional lives. This means that, in addition to the affordability controls expiring, the structures and systems are sometimes in a state of disrepair, inefficient, and without modern amenities. Redevelopment or substantial rehabilitation to provide decent, safe housing and prevent displacement from lack of habitability is essential.” 10-A DCMR § 510.4(a).

Moreover, the Comprehensive Plan does not say that short-term tenant relocation cannot occur, the Comprehensive Plan states: “Redevelopment or rehabilitation of income-restricted affordable housing should use the following strategies, ordered by priority, to minimize displacement, maximize the return of tenants to their community, and retain affordable housing:

- Include tenants’ right of return to a replacement unit under the same tenancy qualifications. Provide a comprehensive relocation plan for tenants prior to redevelopment.
- Implement one for one replacement of income-restricted affordable units at the same affordability levels, and for the unit sizes needed by existing residents. Replace family sized housing in a manner that meets tenants’ housing needs and the needs of households on the waiting list that are the hardest to house in the private market, including the preferences of multi-generational families.
- When redeveloping the property, build replacement affordable units first prior to any off-site physical relocation from existing affordable units, or provide appropriate off-site affordable units as new permanent housing within the project neighborhood, if necessary due to site constraints.
- Projects accepting tenant-based vouchers must accept tenant-based vouchers following redevelopment.

In addition to the strategies listed above, redevelopment of affordable housing should increase the capacity of housing overall, including new dedicated affordable and market-rate units in mixed-income communities.”

10-A DCMR § 510.4(a).

Further, **Policy H-2.1.1: Redeveloping Existing Income-restricted Affordable Housing** states: “Redevelopment of public housing must make every effort to achieve all strategies in 510.4a. **Redevelopment of income-restricted affordable housing by other parties should implement as many of the strategies in 510.4a as possible.** The availability and certainty of land use and financial and regulatory incentives to make the projects feasible are critical to achieve these strategies.” 10-A DCMR § 510.5 (emphasis added).

In addition, **Policy H-2.1.4: Avoiding Displacement** states: “Maintain programs to prevent long-term displacement resulting from the loss of rental housing units due to demolition or conversion, and minimize short-term displacement during major rehabilitation efforts, and the financial hardships created by rising rents on tenants and other shocks or stresses. Employ TOPA, DOPA, and other financial tools, such as the HPTF and the Preservation Fund. In addition, provide technical and counseling assistance to lower-income households and strengthen the rights of existing tenants to purchase rental units if they are being converted to ownership units.” 10-A DCMR § 510.8.

Finally, **Policy H-2.1.9: Redevelopment of Affordable Housing** states: “As dedicated affordable housing reaches the end of its functional life, support maintaining or expanding the quantity of dedicated affordable housing in the redevelopment of the site to the greatest extent feasible, in line with the District’s goals as identified in the Framework Element including those for racial equity and equitable development, and with all applicable redevelopment strategies as referenced in Policy H-2.1.1.” 10-A DCMR § 510.13.

The Applicant’s relocation plan and overall redevelopment plan are consistent with the Comprehensive Plan’s guidance in that:

- The relocation plan and proposed phasing plan will result in 68 units (30%) temporarily relocating on-site or off-site and, because Phase 1 will result in the creation of approximately 240 new units, the remaining 156 units (70%) will be able to stay on-site and move directly into a new unit without having to relocate.
- In accordance with the guidance provided by 10-A DCMR § 510.4(a), each tenant will have the right to return to a new unit.
- In accordance with the guidance provided by 10-A DCMR § 510.4(a), the Applicant has provided a comprehensive relocation plan and will work with a third-party provider to implement the relocation plan.
- In accordance with the guidance provided by 10-A DCMR § 510.4(a), the Applicant will provide more than a one for one replacement of all affordable units.
- In accordance with the guidance provided by 10-A DCMR § 510.4(a), Phase 1 will result in the construction of enough new units to accommodate the needs of each remaining unit.
- In accordance with the guidance provided by 10-A DCMR § 510.4(a), the proposed redevelopment will include critically needed affordable and market-rate units, which

will increase the capacity of housing and affordable housing overall and will also redevelop naturally occurring affordable housing which has reached the end of its functional life.

- Consistent with Policy H-2.1.1., despite not otherwise being required to do so, and although the existing units are not contractually income-restricted affordable housing but are instead naturally occurring affordable housing, the redevelopment of the existing affordable housing incorporates multiple recommendations enumerated by 10-A DCMR § 510.4(a).
- Consistent with Policy H-2.1.4, the relocation plan and proposed phasing plan will prevent long-term displacement and will minimize short-term displacement because the majority of the existing tenants will be able to remain on-site throughout the redevelopment process.
- Consistent with Policy H-2.1.9, the proposed redevelopment will expand the quantity of affordable housing to the greatest extent feasible and will replace aging affordable housing which has reached the end of its functional life.

Accordingly, the Applicant respectfully requests that the Commission take final action on the Application at its public meeting on February 27, 2025. Thank you for your attention to this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP

s/ Cyrus L. Freeman

Kyrus L. Freeman

John T. Oliver

Enclosures

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, a copy of this submission to the Zoning Commission was served by electronic mail on the following at the addresses stated below.

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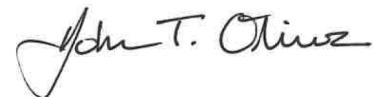
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