

February 11, 2026

Via IZIS

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

Re: **Z.C. Case No. 25-03: Application for Voluntary Design Review for the Property Located at Square 1110, Lot 86 – Applicant’s Request for Waiver to Accept Additional Materials into Case Record**

Dear Chairman Hood and Commissioners:

On behalf of So Others Might Eat (the “Applicant”), we hereby request that the Zoning Commission (“Commission”) waive Subtitle Z § 401.5, pursuant to its authority under Subtitle Z § 101.9, to accept into the case record updated architectural plans and drawings (“Plans”) and a modification of the Applicant’s Statement in Support of Design Review (“Applicant’s Statement”) after the 30-day deadline under Subtitle Z § 401.5. The public hearing for this case is scheduled for February 23, 2026.

I. Background and Circumstances Necessitating a Waiver

Since submitting its application and supplemental prehearing submission for the above-referenced case, the Applicant received comments from the Office of Planning (“OP”), and OP requested that additional information be included on the Plans and submitted to the record. In addition, the Applicant desires to correct and refine the areas of zoning flexibility and relief requested as part of this application. The Applicant’s responses to OP’s comments and requests as well as its updates to the zoning flexibility and relief are reflected in the updated architectural plans and drawings and the modified Applicant’s Statement that the Applicant will file simultaneously with this request for a waiver.

II. There is Good Cause to Grant the Requested Waiver

Subtitle Z § 101.9 authorizes the Commission to, upon a showing of good cause, waive the 30-day deadline under Subtitle Z § 401.5. Good cause exists for the grant of the requested waiver in this case. The Applicant did not receive OP’s comments until after the 30-day deadline under Subtitle Z § 401.5 had

passed. Granting the Applicant’s requested waiver would allow the filings to incorporate information and respond comments so that OP has the complete information it needs to evaluate this application.

Further, waiver of the 30-day submission deadline will not prejudice any party, stakeholder, or neighbor because (1) the Plans were updated merely to include a few additional details and to address typos that do not change the proposed project’s design and do not affect the underlying understanding of the proposed project, and (2) the modified Applicant’s Statement merely corrects the two areas of requested design review flexibility to Subtitle E § 203.2 (Building Height) and Subtitle E § 207.1 (Rear Yard) to match the development standards that are correctly described therein, and it removes requested penthouse setback relief that has become unnecessary as the project design became more refined. The nature and details of the proposed project remain the same since the initial filing, and all stakeholders received notice of the public hearing on the application as of the Office of Zoning’s notice mailing on December 31, 2025.

For all these reasons, ample good cause exists for the Commission to grant the requested waiver, as permitted under Subtitle Z § 101.9, from the 30-day submission deadline under Subtitle Z § 401.5.

III. Conclusion

As discussed above, the Applicant meets the standards for the requested waiver under the Commission’s rules. The Applicant respectfully requests that the Commission proceed with the public hearing scheduled for February 23, 2026, approve the waiver requested herein, and accept into the record the updated Plans and Applicant’s Statement.

Please feel free to contact the undersigned if you have any questions or comments regarding this request. Thank you for your consideration of this matter.

Respectfully submitted,

_____/s/_____

Cary Kadlecek

_____/s/_____

Cindy Vong

Certificate of Service

The undersigned hereby certifies that copies of the foregoing document were delivered by electronic mail to the following addresses on February 11, 2026.

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