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May 16, 2025

VIA IZIS

Zoning Commission
for the District of Columbia
441 4th Street, NW, Suite 210-S
Washington, D.C. 20001

**Re: Application for Modification Without Hearing
Z.C. Order No. 22-06
Approved PUD and Related Zoning Map Amendment @ Square 390, Lot 53**

Dear Members of the Commission:

On behalf of 801 Maine Avenue NBL Owner LLC (the “Applicant”),¹ the owner of the property known as Lot 53 in Square 390 (the “Property”), we hereby submit this application requesting a Modification Without Hearing to the consolidated planned unit development (“PUD”) and related map amendment approved under Zoning Commission (Z.C.) Order No. 22-06. This application is filed pursuant to Subtitle Z § 703.6 of the District of Columbia Municipal Regulations (“DCMR” or the “Zoning Regulations”), which authorizes the Zoning Commission (the “Commission”) to approve a modification to a zoning order without witness testimony.

As detailed herein, the Applicant seeks the Commission’s approval of the following modifications to the approved PUD:

- 1. Modifications to the approved PUD plans, specifically to the floor plans for the parking garage levels, ground floor, and first floor of the project;**
- 2. Additional flexibility to allow the relocation of entrances to the project’s underground parking garage and loading facilities; and**
- 3. A modification to Decision No. E.3.b. to allow the residential units to be offered as either rental or for-sale, and to establish the affordability levels for any Inclusionary Zoning units at up to 60% MFI for rental units and up to 80% MFI for ownership units, in accordance with Subtitle C § 1003.7.**

¹ While the Applicant is a different special-purpose entity from the one in the original PUD approval, it is likewise a subsidiary of Jair Lynch Real Estate Partners.

Pursuant to Subtitle Z § 703.13, a request for a Modification Without Hearing shall be filed with the Office of Zoning at least 35 days prior to the public meeting at which the request is to be considered. Consistent with this required timeframe, the Applicant respectfully requests that the application be placed on the Zoning Commission’s public meeting scheduled for June 26, 2025, which is greater than 35 days from the date of this filing.

Attached hereto as **Exhibit A** is a letter from the Applicant authorizing Holland & Knight LLP to file and process the application. Attached hereto as **Exhibit B** is a Zoning Commission Form 100 – Application Signature Page. The required filing fee of \$520.00 will be provided via check made payable to the D.C. Treasurer.

I. COMMUNITY ENGAGEMENT

The Property is located within the boundaries of Advisory Neighborhood Commission (“ANC”) 6D. Prior to submitting this application, the Applicant engaged with Commissioner Marquell Washington, the Single-Member District representative for ANC 6D01. The Applicant also notified the Capitol Square Homeowners Association (the “Capitol Square HOA”)—a party in opposition to the original PUD case—of its intent to seek a modification to the approved PUD. The Applicant will continue engaging with the ANC and the Capitol Square HOA throughout the review process.

II. Z.C. ORDER NO. 22-06 AND THE APPROVED PROJECT

Pursuant to Z.C. Order No. 22-06, dated February 9, 2023, and effective as of June 9, 2023 (**Exhibit C**), the Commission approved a consolidated PUD and related Zoning Map amendment to rezone the Property from the MU-12 zone to the MU-9A zone. This approval authorizes a mixed-use development featuring both residential and retail components, with an overall floor area ratio (FAR) of 7.99 (the “Project”).

The Project’s design is thoughtfully calibrated to its context, as acknowledged by the Commission when approving the PUD.² The southern portion, fronting Maine Avenue, will rise to approximately 130 feet, while the northern wing, facing the Capitol Square HOA along G Street, will be limited to approximately 90 feet. In total, the Project was approved to deliver approximately 498 residential units for rent, including 75 Inclusionary Zoning (“IZ”) units reserved for households earning no more than 50% or 60% of the Median Family Income (“MFI”). Notably, eight of the IZ units will be three-bedroom apartments, supporting family-oriented housing opportunities within the neighborhood.

At the ground level, the Project will activate the streetscape with approximately 24,168 square feet of non-residential space. Of this, roughly 3,000 square feet will be dedicated to a neighborhood-serving use—such as a grocer, market, bodega, or prepared food shop—while another portion will accommodate a bank branch, consistent with the Applicant’s obligations under the final order. *See* Z.C. Order No. 22-06, Decision No. E.2.

² *See, e.g.,* Z.C. Order No. 22-06, Conclusion of Law No. 49 (“As demonstrated by the Applicant and affirmed by OP, the Project’s massing and design advance the [Southwest] Plan’s vision for Maine Avenue to serve as a gateway boulevard and for the site to reflect a transition between The Wharf and the townhouse development to the north.”)

Z.C. Order No. 22-06 was appealed to the District of Columbia Court of Appeals (No. 23-AA-815); however, the petition was ultimately dismissed. The time limitations set forth in Subtitle Z §§ 702.2 and 702.3 run from March 5, 2024, which is the date of the Court’s dismissal, rather than the effective date of Z.C. Order No. 22-06. *See* 11-Z DCMR § 705.8. Accordingly, the Applicant must apply for a building permit by March 5, 2026, and must commence construction of the PUD by March 5, 2027.

III. SUMMARY OF PROPOSED MODIFICATIONS TO Z.C. ORDER NO. 22-06

A. Modified Plans: Reconfiguration of Parking, Loading, and Bike Storage Facilities

The approved plans for the PUD are marked as Exhibits 119A1–119A5 and 38B in the public record for Z.C. Case No. 22-06 (collectively, the “Approved Plans”). Submitted herewith as **Exhibit D** are select sheets from the Approved Plans that show proposed modifications to the Project (the “Modified Plans”).

The Modified Plans reflect a series of changes that generally accommodate a southward shift of certain building components. As a result of this shift, the “interim” level between the ground floor and the first parking garage level (PG1) has been eliminated, resulting in a redistribution of the Project’s loading facilities, residential lobby, and bicycle storage. In addition, given the type and scale of ground-floor retail uses approved for the Project—including a neighborhood-serving grocer, market, bodega, corner store, or prepared food shop (*see* Z.C. Order No. 22-06, Decision No. E.2.a.)—the Applicant proposes corresponding changes to the loading design. The previously approved WB-67 loading dock, which had been included to accommodate a large-format grocer, has been removed.

As shown in the Modified Plans, the loading facilities have been reconfigured into two smaller, separate loading bays that independently serve the retail and residential components. These facilities remain accessible from the Project’s private driveway, which runs between G Street and Maine Avenue, but are now vertically separated due to the natural downward slope of the Site. The retail loading dock is located at the ground floor level, which meets Maine Avenue at grade, while the residential loading dock is located at the building’s first floor level. In conjunction with these changes, the entrance to the underground parking garage has been shifted approximately feet to the south along the private driveway and now serves as a dividing point between the retail and residential components. The modified East Elevation (*see* Sheet 7) illustrates the revised entrances and the updated loading configuration.

As a result of the elimination of the Project’s “interim” level, the bike storage room has been relocated from the ground floor to the first level of the underground parking garage. The bike storage room will continue to comply with all applicable requirements of the Zoning Regulations, including those under Subtitle C § 805, which governs long-term bicycle parking location and access.³

³ *See, e.g.,* 11-C DCMR § 805.4 (“Where required long-term bicycle parking is provided in a garage, it shall be clearly marked and be separated from adjacent motor vehicle parking spaces by wheel stops or other physical automobile barrier.”)

Other changes reflected in the Modified Plans fall within the scope of the approved flexibility granted under Z.C. Order No. 22-06. These include:

- **Parking Garage Reconfiguration.** Reconfiguration of the parking spaces on the first and second parking garage levels (PG1 and PG2), pursuant to the flexibility granted in Decision No. A.3.c, titled “Parking Configuration.”
- **Residential Lobby Expansion.** Relocation and expansion of the residential lobby into space previously allocated for retail use. The lobby has been shifted to align with the exterior grade and will now include upper and lower levels connected by an internal walking ramp, consistent with the flexibility granted in Decision No. A.3.k, titled “Conversion of Retail Space.”
- **Relocation of Retail Entrances.** Relocation of the retail entrances along Maine Avenue, SE, in accordance with the flexibility granted in Decision No. A.3.m, titled “Retail Frontages.”

B. Additional Flexibility Requested

The Applicant seeks additional PUD design flexibility under Decision No. A.3 of the Order to permit further refinements to the configuration of the parking and loading entrances, if necessary. The specific language requested is set forth in Section IV below.

C. Optionality to Provide For-Sale Units with IZ at 80% MFI

The Applicant also intends to offer the Project’s residential units as either rental or for-sale. This change will not affect the total number of Inclusionary Zoning (IZ) units or their distribution within the Project. Rather, the added optionality is intended to broaden access to housing opportunities and improve the Project’s financial viability in light of evolving market conditions. In accordance with the District’s IZ regulations, rental IZ units will be reserved for households earning up to 60% of the Median Family Income (MFI), while for-sale IZ units will be reserved for households earning up to 80% MFI, consistent with Subtitle C § 1003.7. To implement this modification, the Applicant proposes corresponding revisions to Decision No. E.3.b., as detailed in Section IV below.

IV. PROPOSED MODIFICATIONS TO CONDITIONS IN Z.C. ORDER NO. 22-06

In order to effectuate the proposed modifications summarized above, the Applicant proposes the following changes to the relevant conditions in Z.C. Order No. 22-06:

A. PROJECT DEVELOPMENT

1. The Project shall be developed and constructed substantially in accordance with the plans titled “899 Maine Avenue”, prepared by Perkins Eastman DC, LLC, submitted by the Applicant on November 28, 2022, and the signage and storefront package ~~as modified by the guidelines, conditions, and standards herein~~

(collectively, the “Approved Plans”). (Z.C. Case No. 22-06, Ex. 119A1-119A5, 38B.), as modified by the plans marked as Ex. [#] in the record for Z.C. Case No. 22-06A, and as modified by the guidelines, conditions, and standards herein (collectively, the “Approved Plans”).

...

3. The Applicant shall have PUD design flexibility in the following areas:

...

- n. Loading and Parking Entrances. To shift the location and design of the loading and parking garage entrances, provided that the entrances remain accessible from the private driveway and do not substantially alter the exterior of the building.**

...

E. REQUIREMENTS FOR THE LIFE OF THE PROJECT

3. The Applicant shall provide the affordable housing for the Project in accordance with the following:

...

- b. For the life of the Project, in substantial conformance with Sheet 32 of the Approved Plans (titled, the “IZ Unit Mix”), the Applicant shall provide the affordable housing for the Project as set forth in the following chart:⁴**

Residential Unit Type	Net Residential Square Feet / % of Total	# of Units	Reserved for households earning equal to or less than	Affordable Control Period	Affordable Unit Type
Total	370,774 sf (100%)	498			
Market Rate	378,477 (85%)	423	Market Rate	Life of the Project	<u>For-Sale or</u> Rental
IZ	11,203 (2.9%)	24	<u>Up to 80% MFI (for-sale)</u> Up to 60% MFI (<u>rental</u>)	Life of the Project	<u>For-Sale or</u> Rental / Studio
IZ	19,885 (5.4%)	27	<u>Up to 80% MFI (for-sale)</u> Up to 60% MFI (<u>rental</u>)	Life of the Project	<u>For-Sale or</u> Rental / 1 Bedroom

⁴ The changes proposed herein are fully consistent with the District’s IZ regulations. Any rental IZ units will be reserved for households earning no more than 60% of the MFI, and any ownership IZ units will be reserved for households earning no more than 80% of the MFI, pursuant to 11-C DCMR § 1003.7. Additionally, all IZ units required as a result of the Project’s habitable penthouse space will be reserved for households earning no more than 50% of the MFI, regardless of whether the units are rental or for-sale, in accordance with 11-C DCMR § 1003.8.

IZ	15,874 (4.3%)	16	<u>Up to 80% MFI (for-sale)</u> Up to 60% MFI <u>(rental)</u>	Life of the Project	<u>For-Sale or Rental /</u> 2 Bedroom
IZ	9,036 (2.4%)	8	Up to 50% MFI	Life of the Project	<u>For-Sale or Rental /</u> 3 Bedroom
Total IZ	55,998*	75			

*Calculations based on 15% of the overall residential GFA of the Project (65,171 square feet), plus 15% of the penthouse habitable space devoted to dwelling units.

V. APPLICATION PROPERLY FILED AS A MODIFICATION WITHOUT HEARING

The term “Modification Without Hearing” is a “modification in which impact may be understood without witness testimony, including, but not limited to a *proposed change to a condition in the final order*, a change in position on an issue discussed by the Commission that affected its decision, or a redesign or relocation of architectural elements and open spaces from the final design approved by the Commission. *Determination that a modification can be approved without witness testimony is within the Commission’s discretion.* A request to add or change a zoning map designation to an approved planned unit development shall not be considered without a hearing.” 11-Z DCMR § 703.6 (emphasis added).

The proposed modifications to the approved PUD plans, as well as the corresponding changes to the conditions under Z.C. Order No. 22-06, are limited in scope and do not necessitate witness testimony. Specifically, the requested modifications to the approved PUD are accompanied by three proposed changes to the conditions in the final order (Z.C. Order No. 22-06):

- First, the Applicant proposes to revise the approved plans for the parking garage levels, ground floor, and first floor to reflect changes in the anticipated development program;
- Second, the Applicant seeks additional flexibility solely to accommodate any future need to reorient the loading or parking garage entrances.
- Third, the Applicant proposes that the Order expressly allow the Project’s IZ units to be offered as either rental or ownership units, and to clarify that for the for-sale units, the IZ units will be reserved for households within incomes up to 80% MFI.

These changes are modest and do not alter the Commission’s findings under the PUD evaluation standards, as discussed further in Section VI below.

VI. ONGOING COMPLIANCE WITH PUD EVALUATION STANDARDS

In deciding a PUD application, *including an application to modify a PUD*, the Commission shall “judge, balance, and reconcile the relative value of the public benefits and project amenities offered, the degree of development incentives requested, and any potential

adverse effects according to the specific circumstances of the case.” 11-X DCMR § 304.3. The Commission “shall find that the proposed development: (i) [i]s not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site; (b) [d]oes not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and (c) [i]ncludes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.” 11-X DCMR § 304.4.

A. Zoning Commission’s Previous Findings in Z.C. Order No. 22-06

The Commission previously determined that the Project met the PUD evaluation standards set forth in Subtitle X §§ 304.3 and 304.4. The Commission’s findings are summarized below:

- In Z.C. Case No. 22-06, the Commission concluded that the **PUD satisfied the balancing test** under Subtitle X § 304.3, finding that the public benefits outweighed the requested zoning flexibility and any potential adverse or unmitigated impacts. The Commission also found the PUD-related map amendment from the MU-12 to the MU-9A zone to be appropriate and determined that the technical zoning relief would facilitate the Project’s housing and affordable housing benefits. *See* Z.C. Order No. 22-06, CL Nos. 39–45.
- The Commission concluded that the PUD was “**not inconsistent with the CP when evaluated through a racial equity lens.**” This finding was based on racial equity analyses provided by the Applicant and the Office of Planning, which determined that the PUD would “provide new housing and affordable housing (beyond what could be constructed as a matter-of-right), offer neighborhood-serving retail and service uses at an appropriate and viable location, uses that are desired by the general community and then further refined pursuant to community feedback, and deliver a public benefits and amenities package” that includes traffic improvements, pedestrian-focused streetscape enhancements, and a public art component. The Commission also credited evidence showing the Project was not inconsistent with the Southwest Neighborhood Plan. *See* Z.C. Order No. 22-06, CL Nos. 10–25.
- The Commission found that the Project **would result in favorable impacts** with respect to land use, housing, the environment, economic development, and infrastructure. *See* Z.C. Order No. 22-06, CL Nos. 26-38. Additionally, the Commission concluded that any transportation impacts were capable of being mitigated or acceptable given the quality of public benefits noting, among other considerations, that the Project is located “in close proximity to multiple forms of public transit, and neighborhood-serving retail, services, and other amenities are within walking distance of the Property.” *See* Z.C. Order No. 22-06, CL No. 29.

- The Commission concluded that the “**public benefits and amenities** of the Project, including superior urban design and architecture, site planning and efficient and economical land utilization, housing and affordable housing, environmental and sustainable benefits, streetscape plans, transportation infrastructure, and uses of special value to the neighborhood or the District of Columbia as a whole, are commendable.” *See* Z.C. Order No. 22-06, CL No. 40.

The modifications requested herein do not change the Commission’s prior conclusions. As set forth below, the Project will continue to satisfy the PUD evaluation standards.

B. Applying PUD Evaluation Standards to Subject Application

i. PUD Balancing Test (11-X DCMR § 304.3)

Subtitle X § 304.3 directs the Commission to “judge, balance, and reconcile the relative value of the public benefits and project amenities” against the development incentives requested and any potential adverse impacts. In this case, no changes are proposed to the previously approved public benefits and amenities, nor to the development incentives. In addition, allowing optionality in residential tenure—whether rental or for-sale—is expected to produce positive outcomes. Opportunities for homeownership, in particular, can promote long-term residency, deepen community engagement, and enhance neighborhood stability. For these reasons, the PUD continues to meet the balancing test under Subtitle X § 304.3.

ii. Not Inconsistent with the Comprehensive Plan (11-X DCMR § 304.4(a))

The requested modifications, particularly the optionality to provide either rental or for-sale units, are not inconsistent with the Comprehensive Plan when evaluated through a racial equity lens. These modifications also do not alter the Comprehensive Plan analysis submitted in support of the original PUD case, nor do they affect the Commission’s findings related to that analysis. *See* Z.C. Case No. 22-06, 3H and 38G; *see also* Z.C. Order No. 22-06, CL Nos. 10–25. This is further evidenced by the PUD’s consistency with the following policy that promotes affordable housing near transit:

- ***Policy LU-1.4.4: Affordable Rental and For-Sale Multi-family Housing Near Metrorail Stations.*** Explore and implement as appropriate mechanisms, which could include community land trusts, public housing, and shared appreciation models, to encourage permanent affordable rental and for-sale multi-family housing, adjacent to Metrorail stations, given the need for accessible affordable housing and the opportunity for car-free and car-light living in such locations.

[10-A DCMR § 307.12]

Providing both for-sale and rental units at this Property, which is well-served by public transit,⁵ aligns directly with this policy. Additionally, permitting variation in housing tenure supports core District goals to expand housing choice in the Lower Anacostia Waterfront/Near Southwest Area and respond to a range of household needs. The Project also continues to support the objectives and recommendations of the Southwest Neighborhood Plan, the applicable Small Area Plan. The proposed changes further strengthen the Project's implementation potential and its capacity to deliver an inclusive, community-focused development. **For the Commission's reference, the attached Addendum includes an excerpt of the Applicant's Comprehensive Plan analysis related to the Housing Element, which is most relevant to this application.**

iii. No Unacceptable Project Impacts (11-X DCMR § 304.4(b))

The proposed modifications will not result in any adverse impacts to the Project or the surrounding area. These changes do not alter the Commission's findings with respect to impacts, as outlined in the final order (*see* Z.C. Order No. 22-06, Conclusions of Law Nos. 26–38), and are intended to support the timely and viable delivery of a sustainable, mixed-use development. Although certain floors have been reconfigured and minor design refinements made, the Project remains materially consistent with the plans previously approved by the Commission. There are no changes to the Project's density, height, or other significant massing or envelope characteristics. The relocation of the loading and garage entrances will not affect accessibility or create new traffic impacts, as both entrances will remain accessible from the Project's private driveway. In addition, allowing residential units to be delivered as either rental or for-sale will not compromise the Project's ability to provide high-quality housing or to advance the District's housing goals. The mix of units will continue to serve a range of household types and income levels in this high-opportunity location. For these reasons, the proposed modifications will not result in unacceptable impacts and remain fully consistent with the Commission's original findings and intent.

iv. Public Benefits and Project Amenities (11-X DCMR § 304.4(c))

A PUD must include public benefits and project amenities that are not inconsistent with the Comprehensive Plan or other adopted policies and active programs applicable to the subject site. In this case, there are no changes to the previously approved benefits and amenities. While the Applicant proposes to modify a condition related to affordable housing to establish the required MFI levels for IZ units offered as either rental or for-sale, the total square footage allocated to IZ and the approved distribution of IZ units throughout the Project remain unchanged. Moreover, the Project's housing and affordable housing components continue to advance key objectives of the Comprehensive Plan by promoting increased housing opportunities both on the Property and citywide. Accordingly, the public benefits and project amenities remain, in the Commission's words, "commendable" (Z.C. Order No. 22-06, Conclusion of Law No. 40), and no further evaluation is required as part of this modification request.

⁵ *See* Z.C. Order No. 22-06, Finding of Fact No. 19 (identifying public transit options located in close proximity to the Property, including the L'Enfant Plaza and Waterfront Metrorail stations).

VII. CONCLUSION

In light of the foregoing, the Applicant respectfully requests that the Commission approve this Modification Without Hearing to permit the changes reflected in the Modified Plans, along with the proposed revisions to three conditions in Z.C. Order No. 22-06. The requested modification can be evaluated without witness testimony, satisfies the applicable PUD evaluation criteria, and remains consistent with the Commission's original findings. Approval will enhance the Project's viability as a mixed-use development that promotes community stability and delivers meaningful retail in a well-connected, transit-oriented setting.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 

Leila M. Jackson Batties

By: 
Christopher S. Cohen

Addendum and Exhibits

cc: Certificate of Service

Addendum

Excerpt from Comprehensive Plan Analysis marked as
Exhibit [3H](#) in Public Record for Z.C. Case No. 22-06 (pp. 14-16)

8. Housing Element

The Housing Element describes the importance of housing to neighborhood quality in the District, and the importance of providing housing opportunities for all segments of the population throughout the city. 10A DCMR § 500.1. The District continues to face significant demand for more housing, and in particular affordable housing across a range of income levels. Other critical housing issues that the District is facing include furthering fair housing opportunities, especially in high-cost areas; fostering housing production to improve affordability; promoting more housing near transit; and maintaining healthy homes for residents. 10A DCMR § 500.2.

The overarching housing goal of the Housing Element is to develop and maintain new residential units to achieve a total of 36,000 new units by 2025, 12,000 of which are dedicated affordable, that provide a safe, decent, accessible, and affordable supply of housing for all current and future residents of the District. 10A DCMR § 501.1. To achieve this target, the District must maintain a high rate of housing production at all income levels, with a range of housing types, in all parts of the District. While equity is conveyed throughout the Comp Plan, access and availability to quality affordable housing is arguably the most important issue when it comes to racial equity. The Comp Plan recognizes that without increased housing the imbalance between supply and demand will drive up housing prices in a way that continues to create challenges for many residents, particularly low-income residents. However, the District's housing crisis cannot be successfully addressed by solely focusing on housing supply and demand. Rather, issues relating to the equitable distribution of affordable housing and ensuring new affordable housing has equitable access to transit and amenities are other important factors that need consideration.

Housing Element Evaluation

The Project helps meet the housing needs of present and future District residents at locations consistent with District land use and housing policies and objectives. The Project will include a significant number of new residential units within close proximity to transit, including affordable units reserved for households at the 60% MFI (50% MFI for any penthouse IZ requirement) that will remain for the life of the Project (H-2.1.6). This will provide a substantial contribution to the District's housing and affordable housing goals set forth in the Housing Equity Report (H-1.1.1, H-1.1.3, H-1.2.1, H-1.2.7, H-1.2.11). Indeed, the approximately 498 new housing units in the Project represents approximately 6.3% of the overall housing goal for the Lower Anacostia Waterfront / Near Southwest Planning Area. Further, the Housing Equity Report sets an affordable housing goal of 850 units for the Planning Area. The Project will devote 15% of residential GFA to affordable housing for households earning no more than 60% MFI, and an additional amount of GFA equaling 8% of penthouse GFA devoted to dwelling units will be set aside for households earning no more than 50% MFI. The affordable housing within the Project will help the District achieve the affordable housing production goal set by the Housing Equity Report for the Planning Area. (H-1.2.9, H-1.2.F).

The Project will address citywide housing needs by developing new housing on an underutilized property in a rapidly growing and changing mixed-use neighborhood that is developing around along the Maine Avenue corridor (H-1.1.4). The affordable housing will be designed and constructed according to the same high-quality architectural design standards used for the market-rate housing, and the interior amenities, including finishes and appliances, will be comparable to the market-rate materials, durable, and consistent with contemporary standards for new housing (H-1.1.5). The Project will also contain housing for large households, including 3 bedroom units (H-1.1.9, H-1.3.1).

The Project substantially advances the following Housing Element policies:

H-1.1: Expanding Housing Supply

- H-1.1.1: Private Sector Support
- H-1.1.3: Balanced Growth
- H-1.1.4: Mixed-Use Development
- H-1.1.5: Housing Quality
- H-1.1.9: Housing For Families

H-1.2: Ensuring Housing Affordability

- H-1.2.1: Low- and Moderate-Income Housing Production as a Civic Priority
- H-1.2.7: Density Bonuses for Affordable Housing
- H-1.2.9: Advancing Diversity and Equity of Planning Areas
- H-1.2.11: Inclusive Mixed-Income Neighborhoods
- H-1.2.F: Establish Affordability Goals by Area Element

H-1.3: Diversity of Housing Types

- H-1.3.1: Housing for Larger Households

H-2.1: Preservation of Affordable Housing

- H-2.1.6: Long-Term Affordability Restrictions

Certificate of Service

I hereby certify that on May 16, 2025, electronic copies of the foregoing application were served via email upon the following at the addresses listed below:

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Commissioner Gottlieb Simon

Chair, ANC 6D

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Capitol Square Homeowners Association

c/o Erin Berg, President

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Party in Opposition to Z.C. Case No. 22-06



Christopher S. Cohen
Holland & Knight LLP