

BEFORE THE ZONING COMMISSION
FOR THE DISTRICT OF COLUMBIA

Affidavit of Rick Felice
President of Felice Development Group

Affidavit in Support
Second Time Extension Request for Z.C. Order No. 20-06 *et. seq.*
One-Year Extension of Deadline to Begin Construction

I, Rick Felice, being duly sworn, depose, and state as follows:

- (1) I am Rick Felice, President of Felice Development Group, the “Developer” of the mixed-use project approved pursuant to Z.C. Order No. 20-06 (the “Order”).
- (2) I am Felice Development Group’s representative and point of contact for all matters relating to the land use and entitlement process.
- (3) The entitled property is a triangular-shaped parcel known as Lot 2 in Square 1048-S and consists of approximately 127,495 square feet of land area (the “PUD Site”).
- (4) The PUD Site is located in the southeast quadrant of the District, and is bordered by M Street to the north, the unimproved right-of-way for Virginia Avenue to the southwest, and the right-of-way for Water Street to the southeast.
- (5) By virtue of Z.C. Order No. 20-06, the Zoning Commission (the “Commission”) granted First-Stage and Consolidated Planned Unit Development (“PUD”) approval and a related map amendment that rezoned the PUD Site from the PDR-4 to the MU-9 zone. The order approved redevelopment of the PUD Site with a mixed-use project consisting of approximately 900 residential units and approximately 44,092 square feet of non-residential gross floor area (the “Project”). The Project is approved for a maximum height of 130 feet and a maximum density of 6.17 floor-area ratio (FAR).
- (6) As set forth in the original order, the Project is planned to be developed in two phases. Phase 1 consists of the Consolidated PUD and involves construction of the East Tower. Phase 2 consists of the First-Stage PUD and includes construction of the West Tower and Building 2.
- (7) Under the original order, the Commission also approved a comprehensive package of public benefits and amenities. Among other things, at least 12% of the Project’s total residential gross floor area is reserved for affordable housing for households earning no more than 60% and 50% of the Median Family Income (MFI).
- (8) Following the original approval, the Commission issued a series of subsequent orders addressing technical corrections, program refinements, design updates, and timing. These included Z.C. Order No. 20-06A (technical corrections), Z.C. Order No. 20-06B (Modification of Consequence establishing the current development program), and Z.C. Order No. 20-06D (Modification Without Hearing approving limited exterior design refinements to the East Tower and related site elements). Collectively, these orders clarified and refined the approved plans without altering the Project’s overall scope, density, or public benefits,

- (9) By Z.C. Order No. 20-06C, effective April 28, 2023, the Commission established the Project's current validity period, extending the deadline to file a building permit to April 23, 2025, and the deadline to commence construction to April 23, 2026.
- (10) Throughout the approval process and subsequent modifications, the Developer has remained fully compliant with the PUD approval, as extended.
- (11) For purposes of Subtitle Z § 702.2, the PUD approval remains valid through the filing of a foundation-to-grade permit application (FD2500001) on or about October 8, 2024. In addition, on or about January 21, 2025, the Developer submitted a building permit application to authorize the construction of the East Tower (B2503238).
- (12) In October 2024, the Developer also submitted applications for the required raze permits for the PUD Site as part of its pre-construction work. Issuance of those permits is pending completion of utility cut-offs, which are currently underway. Once utilities are disconnected, the raze permits are expected to be issued promptly, allowing demolition, site work, and construction activities to begin.
- (13) The Developer is optimistic that the building permit for the East Tower will be issued in the summer or fall of this year. Upon issuance, the Developer expects to be able to begin active construction without delay.
- (14) Notwithstanding the Developer's good faith efforts to prepare the PUD Site for construction, good cause exists to grant the requested extension. Financing challenges driven by broader market conditions beyond the Developer's control have persisted. Capital markets remained difficult throughout 2025, particularly in the District of Columbia, and while conditions are now showing signs of improvement, investor and lender confidence has been slow to fully recover.
- (15) In light of the recent economic challenges, and given the progress made toward the construction of the Project, a one-year extension of the deadline to start construction is warranted.
- (16) With the requested one-year extension, the Developer will be able to secure investor and lender confidence and will be well-positioned to mobilize and move into construction as soon as financing is secured.

RICK FELICE



President
Felice Development Group

Sworn and subscribed to me this 4th day of March 2026.



Notary Public



ROSALIND C. FRINK
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires February 14, 2027