

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Christine M. Shiker
202.457.7167
christine.shiker@hklaw.com

Jessica R. Bloomfield
202.469.5272
jessica.bloomfield@hklaw.com

September 13, 2018

VIA IZIS

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

**Re: Revised Timing for Escrow Account Proffer
Z.C. Case No. 02-38I
Second Stage PUD & Modification of Significance to First-Stage PUD @ Square 542**

Dear Members of the Commission:

On behalf of Waterfront 375 M Street, LLC and Waterfront 425 M Street, LLC (together the “Applicant”), we hereby submit revised language for Decision No. B.14 in the Applicant’s draft Findings of Fact and Conclusions of Law filed on July 16, 2018 (Ex. 136). The revised language is based upon further discussions with representatives of Waterfront Tower, wherein the Applicant agreed to an earlier timeframe to create the proposed escrow account to mitigate project impacts. The Applicant’s proposed language is as follows:

Within thirty (30) days of publication of the final order in the DC Register, or by March 31, 2019, whichever is earlier, ~~Prior to the issuance of the first certificate of occupancy for the East M Building~~, the Applicant shall deposit \$40,000 into an escrow fund for the benefit of Waterfront Tower to be used to fund (i) alternative parking solutions in the neighborhood for Waterfront Tower’s moving vans, deliveries, contractors, and visitors; (ii) energy efficiency improvements at Waterfront Tower (e.g. solar panel installation, LED conversion, modernizations to the existing heating and cooling systems); and/or (iii) beautification improvements along the North-South Private Drive and entrance to Waterfront Tower.

Should the Commission have any questions, please do not hesitate to have staff contact us.
Thank you for your attention to this matter.

Sincerely,

HOLLAND & KNIGHT LLP

By: Christine Shiker
Christy M. Shiker

By: Jessica Bloomfield
Jessica R. Bloomfield

cc:	Joel Lawson, Office of Planning	(See Certificate of Service)
	Matt Jesick, Office of Planning	(Via Email; w/attachment)
	Aaron Zimmerman, DDOT	(Via Email; w/attachment)
	Joseph Lapan, DMPED	(Via Email; w/attachment)
	Caleb Sheldon, DMPED	(Via Email; w/attachment)
	Advisory Neighborhood Commission 6D	(See Certificate of Service)
	Commissioner Moffatt, ANC 6D05	(Via Email; w/ attachment)
	Commissioner Fast, ANC 6D01	(Via Email; w/ attachment)
	Commissioner Litsky, ANC 6D04	(Via Email; w/ attachment)
	Commissioner Fascett, ANC 6D Chair	(Via Email; w/ attachment)

CERTIFICATE OF SERVICE

I hereby certify that copies of this letter were sent to the following on September 13, 2018:

Joel Lawson
D.C. Office of Planning
1100 4th Street, SW
Washington, DC 20024

Via Email w/ attachment

Advisory Neighborhood Commission 6D
Office@anc6D.org

Via Email w/ attachment

Tiber Island Cooperative Homes, Inc.
429 N Street, SW
Washington, DC 20024
Attention: Paul Greenberg and Paula Van Lare

Via US Mail w/ attachment – 2 copies

Carrollsborg Square Condominium Association
1804 T Street, NW
Suite One
Washington, DC 20009
Attention: Henry Baker

Via US Mail w/ attachment

Waterfront Tower Condominium Board
c/o Hara Ann Bouganim
Vice President
haraannbouganim@comcast.net

Via Email w/ attachment



Jessica R. Bloomfield
Holland & Knight LLP