

August 05, 2019

VIA IZIS

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

Re: Application of CityPartners 5914, LLC for the Extension of Time of the Approved Consolidated Planned Unit Development and Zoning Map Amendment Application Approved in ZC Order 13-08 – Response to OAG Letter

Dear Chairman Hood:

The purpose of this letter is to respond to the letter from the Office of the Attorney General dated July 26, 2019. The following facts are undisputed:

- ❖ This is the first request to extend a PUD that will transform an important site and provide new housing including a minimum of 15,000 square feet of affordable housing.
- ❖ The Zoning Commission and no other body is empowered with the decision of whether to extend a PUD. This is exclusively a zoning matter.
- ❖ The Superior Court is the proper forum in which to litigate the many non-zoning issues that have been raised about the project.
- ❖ Ongoing litigation that precludes the ability to proceed with construction is a clear and indisputable basis for extending a PUD.
- ❖ There is extensive ongoing litigation including a *lis pendens* action that makes it nearly impossible to secure title insurance and proceed with construction.
- ❖ The PUD approval runs with the land. The entitlement is not “owned by” or limited to the current owner.
- ❖ The assertions and claims being made by the AG are disputed allegations that will be, but have not been, resolved in the courts.

❖ The PUD as approved also provides for:

- Opportunity for all the current tenants to return to the new residential building and continue to pay amount of rent they pay in their current units.
- Creation of a \$200,000 working capital fund for small business contracts.
- Creation of job training, employment and internship programs specifically tailored to Ward 8 residents. **This will be based on our CityPartners Pathways model.**
- Building of a community office space for ANC 8E.
- Providing at least 1,600 sf of retail or business space reserved for local tenants at discounted rents.
- 15 years of funding for 5 neighborhood organizations, including: Congress Heights Community Association (“CHCA”), Lead the Way Foundation and Higher Hopes, Inc.(“LTWFHHI”), Congress Heights Community Training and Development Corporation (“CHCTDC”), Ward Eight Council Against Domestic Violence (WECADV).

From an economic, public safety, environmental, and a good urban planning perspective, it makes sense to grant the requested time extension for the PUD. The Congress Heights community, the tenants and the City will benefit with the PUD being built.

In light of the foregoing facts, we urge you to extend the PUD for one year. Given the property’s current zoning, if this PUD is allowed to lapse, there will be a minimum of a two-year delay in the redevelopment of the site, but a longer delay is likely. Starting over is costly, time-consuming and involves an appeal risk.

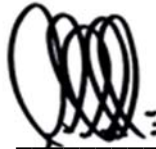
Sincerely,



Geoffrey H, Griffis

CERTIFICATE OF SERVICE

I hereby certify that I sent the foregoing document to the addresses below on August 5, 2019 by e-mail or regular mail.



Geoffrey H. Griffis

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ANC 8E04
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Alabama Avenue/13th Street Tenants Coalition
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Washington Legal Clinic for the Homeless
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