

December 4, 2020

VIA IZIS

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

Re: Request of CityPartners 5914, LLC for Administrative Extension of Time of the Approved Consolidated Planned Unit Development (“PUD”) and Zoning Map Amendment Application Approved in ZC Order Nos. 13-08 and 13-08A

Dear Chairperson Hood:

CityPartners 5914, LLC (the “**Applicant**”)¹ hereby requests a one-year administrative extension of the time period for approval of the project approved by Zoning Commission Order Nos. 13-08 and 13-08A (the “**PUD Project**”). A copy of Order Nos. 13-08 and 13-08A are attached hereto as Exhibit A. The filing fee will be hand-delivered to your office.

A. Background

ZC Order No. 13-08 approved the creation of a significant transit-oriented development at the Congress Heights Metro Station. This project, approved for two phases of construction, will include a mix of residential, retail, and office uses that will serve as a hub for people to live, work and shop in their neighborhood. The residential portion of the project will include 205-215 affordable and market rate residential units located in the building at the intersection of 13th Street and Alabama Avenue SE. This building will include ground floor retail uses, a prominent lobby entrance on Alabama Avenue and small office users along 13th Street. The proposed office building will be eight stories tall. Retail will also be provided on the ground floor of the office building. ZC Order No. 13-08 also approved a Zoning Map Amendment from the R-5-A Zone to the C-3-B Zone.

The Zoning Commission’s unanimous approval of the PUD Project anticipated that development of the office building portion of the project may occur at a different time than the

¹ The Applicant in Zoning Commission Case No. 13-08 was Square 5914, LLC. The interests of Square 5914, LLC were transferred to CityPartners 5914, LLC.

development of the residential portion of the PUD Project. Condition No. 5 of ZC Order No. 13-08 stated:

“The PUD shall remain valid for three years from the effective date of this Order, during which the Applicant must file for a building permit for the construction of the first building, and construction must begin within four years of the effective date of this Order for the PUD to remain valid. The PUD shall be vested as to any building or buildings for which construction has timely begun. Thereafter, for the PUD to remain valid, the Applicant must file for a building permit for the second building within five years of the effective date of this Order, and construction must begin within six years of the effective date of this Order.

The Zoning Commission’s approval of the PUD Project in ZC Order No. 13-08 became effective on June 5, 2015. In order for the PUD to remain valid, an application for a building permit for the construction of one of the buildings in the PUD Project was required to be filed prior to June 5, 2018 and construction must begin by June 5, 2019. On June 1, 2018, a Foundation-to-Grade Building permit application was filed with the Department of Consumer and Regulatory Affairs (FD #1800081).

On May 31, 2019, the Applicant filed an application seeking a two-year extension of time to start construction of the first building in the PUD Project. The Zoning Commission approved a one-year time extension in Zoning Commission Case No. 13-08A.

Thereafter, the Zoning Commission adopted ZC Order No. 20-07, which provided a six-month extension of Zoning Commission Orders which were otherwise scheduled to expire between April 27, 2020 and December 31, 2020. Applying ZC Order No. 20-07 to Zoning Commission Order Nos. 13-08 and 13-08A requires the Applicant to start construction of the first building in the PUD Project by December 5, 2020 and to file a building permit application for the second building in the PUD Project by December 5, 2020. The Applicant is requesting a one-year time extension for both of these actions.

B. Request for Administrative Time Extension Request Approval

The Applicant is requesting administrative approval of a one-year time extension (to December 5, 2021) to:

- 1) Start construction of the first building in the PUD Project; and
- 2) To file for a building permit application for the second building in the PUD Project.

The Applicant’s basis for requesting this administrative time extension is the direct result of negative impacts that the Covid-19 pandemic has placed on the PUD Project.

