

# Holland & Knight

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## VIA IZIS

Zoning Commission of the District of Columbia  
441 4th Street, N.W.  
Suite 210  
Washington, DC 20001

Re: Z.C. Case No. 13-14A - McMillan Reservoir Filtration Site, Parcel 2  
Revised Final List of Proffers and Conditions and Revised Draft Order

Dear Members of the Commission:

On behalf of JAIR LYNCH Development Partners, the Applicant for the above referenced application, and pursuant to 11 DCMR §§2403.15 – 2403.21, we respectfully submit the enclosed revised best and final offer of proffers and conditions and a revised draft order for the above-referenced Zoning Commission case.

The enclosed proffers and conditions reflect comments received on February 29, 2016, from the Office of Attorney General (“OAG”) on the Applicant’s initial list of proffers and conditions that was submitted on February 15, 2016. In response to OAG’s comments, in addition to minor editorial changes to improve clarity and remove redundancy, the Applicant has removed from the initial list of flexibility the request to make minor adjustments to the penthouse configuration since the project is now fully compliant with the penthouse setback requirements. The draft order was originally submitted on January 21, 2016, prior to the Commission taking proposed action. The enclosed revised draft order reflects the following:

- The Commission’s proposed action to approve Option B of the plans submitted on January 14, 2016, with the requested flexibility regarding the final programming of a portion of the ground floor; and;
- The revised affordable unit mix plan submitted by the Applicant on March 3, 2016, which responds to the Commission’s comments made at proposed action regarding its preference for the two additional affordable dwelling units proffered by the Applicant to be devoted to households earning no more than 50% AMI; and
- The final list of proffered benefits and conditions submitted herewith.

Thank you for your consideration of these materials.

Sincerely,

HOLLAND & KNIGHT LLP

  
Norman M. Glasgow, Jr.

Enclosures

cc: Gilles Stucker, DMPED (w/encl., via email)  
Jacob Ritting, Office of the Attorney General (w/encl., via email)  
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ANC 5E, (w/encl., via email and hand delivery)  
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Pleadings file