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June 28, 2018

VIA IZIS

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

**Re: ZC Case No. 15-20B / TBSC Owner I, LLC
Response to Zoning Commission Comments**

Dear Members of the Commission:

This letter is submitted on behalf of TBSC Owner I, LLC (the “Applicant”) in response to the Zoning Commission comments at its public meeting on June 25, 2018, on the above-referenced application. The Applicant originally sought a minor modification that would amend the timing for notice of the raze permit application under Condition B.2.e.i. of ZC Order No. 15-20 (the “Order”) (the “Condition”) from notice being given within 10 days of filing for the raze permit application to notice being given with 40 days of filing for the raze permit application. At the public meeting, the Zoning Commission determined that the proposed modification was not a minor modification, but a modification of consequence. Also, in lieu of the revision proposed by the Applicant, the Zoning Commission proposed the following revision to the Condition:

| FROM | TO |
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| Condition B.2.e.i. <u>Demolition of Existing Structures.</u> Within 10 days of applying for a raze permit for any structure on the Property, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property; | Condition B.2.e.i. <u>Demolition of Existing Structures.</u> Within 10 days of applying for a raze permit for any structure on the Property, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property. <u>Violations of this condition shall not result in the denial of a raze permit; however, if a</u> |

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| FROM | TO |
| | <u>violation occurs DCRA may consider imposing the appropriate civil infraction.</u> |

At the time the Condition was originally proffered by the Sursum Corda Cooperative, the cooperative had no real bases to gauge when families would vacate the property relative to the sale of the Sursum Corda property or the demolition of the units. As it turns out, all of the families were relocated prior to the sale of the property from the cooperative to the Applicant and several months prior to the Applicant filing the raze permit application. Also, at the time notice of the raze permit application was provided to Sursum Corda households, it was estimated that the Applicant was at least 120 days from obtaining a raze permit. As of the date of this letter, it is estimated that the Applicant is at least 90 days from obtaining a raze permit. Therefore, Sursum Corda households will have received notice of the raze permit application at least four months prior to the issuance of a raze permit for the Sursum Corda property.

In light of the foregoing, the Applicant respectfully requests that the Condition be revised as follows:

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| FROM | TO |
| Condition B.2.e.i. <u>Demolition of Existing Structures.</u> Within 10 days of applying for a raze permit for any structure on the Property, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property; | Condition B.2.e.i. <u>Demolition of Existing Structures.</u> Within 10 days of applying for a raze permit for any structure on the Property, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property. <u>Violations of this condition shall not result in the denial of a raze permit, building permit or certificate of occupancy for the PUD.</u> |

*Zoning Commission
For the District of Columbia
June 28, 2018
ZC Case No. 15-20B*

Thank you for your considerate attention to this matter.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Leila M. Jackson Batties, Esq.

cc: Jennifer Steingasser, D.C. Office of Planning (via email)
Joel Lawson, D.C. Office of Planning (via email)
Ms. Maxine Brown, D.C. Office of Planning (via email)