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VIA IZIS

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

**Re: Update to Z.C. Case No. 15-27B
Request for Setdown of Penthouse Use for Building C1**

Dear Members of the Commission:

On behalf of Carr Properties OC, LLC (the “Applicant”), we respectfully request that the Zoning Commission set down the Applicant’s request to permit “nightclub, bar, cocktail lounge, or restaurant” use in the penthouse of Building C1 as part of Z.C. Case No. 15-27B. If the request is setdown, then the zoning approval for Buildings C1 and C2 (one building for zoning purposes) would move forward simultaneously and be heard at a single hearing, as originally intended.

The subject application (15-27B) was originally filed to request modifications to both Buildings C1 and C2 as follows:

- i. For Building C1, a modification to the approved consolidated PUD to make minor design refinements to the penthouse and incorporate nightclub, bar, cocktail lounge, or restaurant use into the penthouse; and
- ii. For Building C2, a second-stage PUD and a modification to the approved first-stage PUD, which also included a request to incorporate nightclub, bar, cocktail lounge, or restaurant use into the penthouse.

See Applicant’s Statement in Support, Z.C. Case No. 15-27B, Ex. 2.

Subsequent to filing Z.C. Case No. 15-27B, the Applicant filed, and the Commission approved, a Modification of Consequence to make the requested design refinements to Building C1’s penthouse (Z.C. Case No. 15-27D). That application did not request a change in use for Building C1’s penthouse. Therefore, the Applicant respectfully requests that the Commission now continue to consider the change in use request for Building C1’s penthouse as originally filed by the Applicant

as part of Z.C. Case No. 15-27B. The same request is also still being proposed for Building C2's penthouse.

A description of the proposed penthouse use for Building C1 is included at pages 8-9 of the Applicant's Statement in Support (Ex. 2). An analysis of how the proposed use meets the special exception standard of review required by 11-C DCMR § 1500.3(c) and 11-X DCMR § 901.2 is included at pages 14-15 of the Statement in Support. The Applicant also notes that the affected ANC 5D has already reviewed and supported the request for the proposed use of Building C1's penthouse.

Based on the foregoing, the Applicant respectfully requests that the Commission consider setting down the proposed use of Building C1's penthouse so that it can continue to move forward with Building C2 as part of Z.C. Case No. 15-27B.

Thank you for your considerate review of this request.

Respectfully submitted,

HOLLAND & KNIGHT LLP



Norman M. Glasgow, Jr.

Jessica R. Bloomfield

cc: Certificate of Service
Joel Lawson, Office of Planning (via Email)
Brandice Elliot, Office of Planning (via Email)
Aaron Zimmerman, DDOT (via Email)

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2019, electronic copies of the foregoing letter were served on the following:

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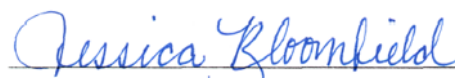
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