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VIA ELECTRONIC MAIL

District of Columbia Zoning Commission
c/o DC Office of Zoning
441 4th Street SW, Suite 200
Washington, DC 20001

RE: Comments on ZC Case 21-02: Vesting Language

Dear Commissioners:

I have lived in the District of Columbia for more than fifteen years and have enjoyed a career in commercial development. I applaud the Zoning Commission's focus on the expanding the District's affordable housing stock. I write today to comment on one aspect of ZC Case 21-02 before you on April 26th. This comment will also apply to ZC Case No. 21-05 and any other "IZ XL" cases.

As you are likely aware, it is not uncommon for large, complex real estate projects in Washington, DC to take many years to advance from planning stages to the submission of a building permit. Indeed, regulatory actions such as Zoning Map Amendments, Large Tract Review, historic preservation review, and US Commission of Fine Arts review, among others, can take years. Once these early-stage approvals are in hand, the development team then works for more than a year, often two, developing a set of construction documents for large projects can require an investment that ranges from \$750,000 to many millions of dollars. It is quite common for complicated projects to take more than four years for local projects to go from inception to permitting. It requires extensive amounts of capital to construct in Washington. Financing a project can take months, or years, and late changes in regulatory requirements often cause lenders and investors to cancel financing agreements. COVID-19 has drastically impacted our industry and has caused delays on numerous projects large and small.

I urge the Commissioners to authorize the Office of Planning to work with the Office of the Attorney General on robust vesting language to capture the above concerns. It is critically important that the Commission review and approve vesting language prior to taking final action on ZC 21-02. Projects that have been years in the making – those that have already commenced lengthy public approval processes and/or are advancing through construction documentation and are poised to submit for building permits, deserve the opportunity to obtain permits based on long-standing expectations and successfully finance and implement long-planned ventures without a sudden viability-threatening shift in a site's regulatory framework.

Sincerely,



Peter R. Armstrong