

May 5, 2022

VIA IZIS

Anthony Hood, Chairman
D.C. Zoning Commission
441 4th Street NW, Suite 200-S
Washington, DC 20001

Re: **Z.C. Case No. 21-18** – Application of Dance Loft Ventures LLC (the “**Applicant**”) for 4608-4618 14th Street, NW (the “**Property**”) – Opposition to Motion to Delay Hearing

Dear Chairman Hood and Members of the Commission:

The Applicant opposes the May 3, 2022 “Motion to Postpone the May 5, 2022 Zoning Commission Hearing” (“**Motion**”) from counsel to party in opposition “Friends of 14th Street” (“**FOFS**”). FOFS’ delay request will not likely present an opportunity for resolution, is not in the public interest, and is prejudicial to the Applicant. The May 5 public hearing should move forward as scheduled.

The Applicant has for more than a year listened to and worked with community members, including FOFS, and others to address concerns and refine the project that is the subject of this application. The most recent evidence of the Applicant working with the community is the *withdrawal* of the party in opposition status request (Exhibit 762 in the record) and the filing of a *support* letter (Exhibit 762A) on May 4, 2022 from tenants of retail businesses along 14th Street, NW. There can be no question that the Applicant is willing and able to work successfully with its neighbors to find compromises. Further, FOFS identified the retail tenants’ request for party status and their request for postponement of the hearing as justification for FOFS’ request to postpone the hearing. However, given the tenants’ filings described above, there is no such need for a postponement.

The Applicant has worked hard to attain tremendous support for this application from: ANC 4C, Councilmember Lewis-George, the Office of Planning, DDOT, DHCD, DOEE, FEMS, DC Water, the Office of Attorney General, more than a hundred residents of the Sixteenth Street Heights neighborhood, neighborhood business and faith leaders, scores more residents from Ward 4 generally, numerous residents of the block containing the project and immediately surrounding blocks (*see* Exhibits 313, 350, 371, 530, 531, 532, 641, 692), the District’s arts community, and many advocacy organizations. The Applicant expects that dozens of individuals and organizations are prepared to share their enthusiastic support for the project on the evening of May 5.

The application's widespread support is well-founded: it preserves an arts organization, it adds 101 new units, **67 affordable, 24 three-bedroom, 22 at 30% MFI**, and 59 with balconies/patios in a highly-sustainable building that is now entirely compliant with the MU-5A requirements. A project with these attributes, which the Commission so often requests, deserves a full hearing.

Further pre-hearing meetings between the Applicant and the Opponents are unlikely to be productive. Despite attempts by the Applicant to engage in discussions with FOFS since FOFS filed for party status, FOFS has not agreed to meet with the Applicant and has only spoken through counsel. (The Applicant has met many times, both in person and virtually, with individual members of FOFS over the course of the past 15 months.) Further pre-hearing discussions are unnecessary because FOFS' stated position is clear: they want a smaller building. The Applicant has a similarly clear position: the proposed building is consistent with the context and planning documents and a smaller building is very unlikely to be constructed at all. The Applicant has been willing to make other changes and concessions (e.g., increasing parking, working with DDOT to remove RPP eligibility, improving the project's design, and adding public benefits, among many others), but moderate density is both appropriate for this site and required to deliver the proposed affordable housing and arts preservation benefits.

A delay of the hearing will be detrimental to the project. It will threaten the project's ability to apply for public funding and likely increase the project's cost and reduce its feasibility, ultimately delaying the delivery of the project and new affordable housing.

For more than two decades, the Commission has been the most consistent voice for affordable housing in the District. The Commission has encouraged numerous previous projects to deepen affordability levels, add three-bedroom units, and increase the affordable housing set aside. This application satisfies all of the criteria for a PUD and related Zoning Map amendment. The Applicant would like to present its project to the Commission for the opportunity to discuss why this project should to move forward and progress towards all of the positive components that this project can achieve.

This is a case about whether the District will accept the moderate amount of density necessary to deliver a project to this Property and to make meaningful affordable housing a reality. There is a tremendous constituency in support of this project's affordable housing and arts use. A few neighbors want less density which would significantly undermine the opportunity available on the Property. The hearing is the appropriate forum for further discussions on the Project, and the Motion should be dismissed.

Very truly yours,

/s/ Jeff Utz

/s/ David Lewis

Certificate of Service

I certify that on or before May 5, 2022, I delivered a copy of the foregoing document and attachments via e-mail or first-class mail to the addresses listed below.

/s/ David A. Lewis

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