

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR**



July 15, 2011

Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP
2099 Pennsylvania Avenue, N.W., Suite 100
Washington, DC 20006

Re: Square 451 Combined Lot Development Computations

Dear Mr. Sher:

This is to confirm the substance of our discussion on Thursday, June 15, 2011, concerning a proposed allocation of development using the combined lot development (CLD) provisions of the Downtown Development (DD) District. The properties involved include two sites in Square 451 (designated as Square 451 West and Square 451 East), 910 M Street and 450 K Street. The only site of those four that is currently developed under the DD District is 910 M Street, which is improved with a high-rise apartment building. All four of the sites are zoned DD/C-2-C and are included in Housing Priority Area A.

The basic premise for combined lot development is set forth in Chapter 17, as follows:

§1708.1: Two (2) or more lots may be combined for the purpose of achieving the required FAR equivalent for preferred uses, as follows:

(a) The lots may be located in the same square or in different squares;

...

(g) The maximum permitted gross floor area for all uses, the minimum required gross floor area for preferred uses, and bonus density, if applicable, shall each be calculated as if the combined lots were one lot, and the total project shall conform with the maximum and minimum gross floor area requirements;

Pursuant to the above cited provisions, you presented computations to me, a copy of which is attached. The computations are annotated to show the various section numbers applicable to the computations. I note the following as the basis for the computations:

- All of the properties are required to provide a minimum of 4.5 FAR of housing. That housing requirement can be provided on-site or can be satisfied through alternative means under the DD District.
- Pursuant to §1706.4(d), affordable housing elsewhere in the District can be used to satisfy up to 30%, or 1.35 FAR, of the residential requirement.
- Pursuant to §§1706.4(a) and (b), the properties may contain 3.5 FAR of on-site commercial development.
- Pursuant to §1706.4(e), the amount of on-site commercial development may be increased by the amount of off-site affordable housing provided.
- Pursuant to §1706.7(a), an additional 0.5 FAR of commercial uses may be provided on-site if an equal amount of affordable housing is provided elsewhere.
- Pursuant to §1706.7(b)(2), the maximum amount of residential from any one site that can be utilized through combined lot development is 8.0 FAR.

Based on the land area of the four sites, the minimum amount of residential that must be provided in total on the combined lot is 400,073 square feet of gross floor area. That total can be reduced by 1.35 FAR to 359,451 square feet through the use of the affordable housing option on Square 451 West. The actual amount of countable residential that is or will be provided is 397,883 square feet. The total amount of commercial permitted on the combined lot is 366,834 square feet. The total amount of commercial to be provided is 364,831 square feet on the combined lot. More than the minimum amount of residential that is required will therefore be provided and the maximum amount of commercial that is permitted will not be exceeded. I therefore concur that the computations as described above and attached comply with the requirements of the DD District and that the combined lot conforms with the DD District.

Any construction on the properties must comply with all the other requirements of the regulations, including height, lot occupancy, yards, courts and parking. Further, my determination is limited to zoning matters. You must comply with all other applicable District codes and regulations.

This letter represents my preliminary assessment and my final determination will occur upon examination of the actual covenant instrument once it is submitted. Please let me know if I may be of further assistance.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachment

File : Det Let re Square 451 CLD computations to Sher 7-15-11