

**SQUARE 393 9TH STREET PROPERTY OWNERS' OPPOSITION STATEMENT
BEFORE THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENTS ON
CASE NUMBER 18397/WEST SITE - FLORIDA AVENUE RESIDENTIAL LLC'S (JBG
COMPANIES) - FLORIDA AVENUE AT 9TH AND 8TH NW PROJECT AS RENDERED**

TUESDAY, SEPTEMBER 18, 2012

Good Morning, Chairman and members of the Board, I am Dana Jackson, speaking on behalf of myself and the other 9th Street Property Owners in Square 393. We have prepared this statement of opposition to the Florida Avenue Residential LLC's (JBG Companies) Florida Avenue at 9th and 8th NW project, as rendered in Squares 393.

In preparation for this public hearing, we reviewed JBG Companies' BZA Application against: 1) Zoning requirements; 2) Historic Preservation (HPRB) requirements; and 3) District Department of Transportation (DDOT) requirements. We oppose granting approval to proceed with the development of the West site, as rendered for the following reasons:

JBG COMPANIES' FAILURE TO ACCEPT NEGATIVE IMPACT OF DESIGN AND CONSTRUCTION ON ITS NEAREST NEIGHBORS

We have continually offered JBG our analysis and recommendations in hope of achieving needed corrective changes. At the conclusion of the July 26, 2012 HPRB public hearing, JBG Companies was instructed to meet with us to review the design of the West building, namely the inclusion of the rear balconies overlooking our properties in the 1900 block of 9th Street NW. At our initiation, a September 10, 2012 meeting was scheduled to discuss the rear balconies, as well as our major concern, which is the proposed closing of the public alley and its reconfiguration as part of JBG Companies' proposed construction of a 6 1/2 story mixed-use development. During the meeting, alternative approaches were discussed including our earlier recommendation of constructing an overhead walkway on Level 2 of the West building between Lots 44 and 45. Although, relief was reached regarding the balconies, no agreement was reached on the public alley closing regarding the hardship their design plans pose to the property owners' ability to operate our businesses.

On Thursday, October 4, 2012, a DC City Council public hearing will be held to consider approval of JBG Companies application to permanently close the northern and southern sections of the public alley adjacent to Lots 44, 826, 41 and 45 and reconfigure it to exit onto 9th Street NW. Given that on February 21, 2012, David B. Lindeman, an owner/partner of 1923 9th Street NW LLP filed a complaint with the DC Office of Surveyor opposing closure of the public alley (SO #11-08780), he wrote on September 12, 2012 to Congressmen Darrell Issa and Elijah Cummings informing them of our opposition to the alley closing. In the letter, he reiterated the hardship

SEP 18

BOARD OF ZONING ADJUSTMENT
Board of Zoning Adjustment
District of Columbia
District of Columbia
CASE NO. 18397
EXHIBIT NO. 32
EXHIBIT NO. 32

such closure would cause for we, owners. A copy of the 13-page document has been provided to you.

FAILURE TO MEET BZA THREE-PART TEST

We believe JBG Companies has failed to meet its “Burden of Proof” as determined by the BZA’s three-part test for variance relief. The proposed Florida Avenue at 9th and 8th NW development plan for the West site represents a “substantial detriment to the public good” and serves to compromise the zoning plan with the lack of sufficient parking and loading facilities to serve the needs of the prospective tenants nor does it address the need for affordable housing. These variances, if granted to the new building, will also result in negative impacts on the traffic patterns in the surrounding neighborhood.

- **Design Issues**

The proposed West site will have 163 apartments and 22,775 square feet of commercial space on the ground floor with 69 underground parking spaces instead of the required 82 spaces. For residential use, the loading dock area will provide only one 200 square feet Platform with JBG’s request to eliminate the 55 feet Deep Loading Berth and the 20 feet Deep Loading Space. For retail use, one 30 feet Deep Loading Berth, one 20 feet Deep Loading Space and one 100 square feet Platform with JBG’s request to eliminate the second 30 feet Deep Loading Berth and the second 100 square feet Platform. Both residential and retail occupants are expected to share the Loading Berth and Loading Space.

The redesign and reduction in the height and density on the West site would serve to negate the need for JBG to request approval by the BZA for many of the zoning reliefs for this site. Several of the zoning reliefs sought would be unnecessary if the number of apartments were significantly reduced.

Another design concern is the West Building’s 9th Street entrance to its underground parking and service locations, which consists of entering a covered driveway with a clearance of 17’6” that JBG Companies says is also the entrance to the public alley. Entry to the service locations and underground parking garage on 9th Street would serve to make the 1900 block of 9th Street the staging area for services/access to the proposed building, i.e., making us the West Building’s “back door”, and would be incompatible with the ambiance of our commercial corridor.

- **Closing/Reconfiguration of Public Alley**

Keeping the current configuration of the public alley onto the 800 block of Florida Avenue NW would serve to avoid disrupting the heavily used 9th Street commercial corridor and, in turn, prevent the resulting negative impact on the operation of our commercial businesses in that block. As most of the commercial properties in the

1900 block of 9th Street NW are assessed at more than one million dollars, the owners' ability to remain competitive without diminishing the commercial appeal and functionality of our properties is severely compromised. The closure of the northern end (Florida Avenue) of the public alley and creation of a 20 foot alley entrance for two-way traffic on the 1900 block of 9th Street would serve to defeat this purpose by, among other things, restricting the ability of the large trash trucks that service our properties (some of which are restaurants) from accessing the rear.

The proposed entrance to the public alley from 9th Street would require driving past service locations, to either turn right to enter the remaining portion of the North/South public alley, which is outside of the covered driveway area or proceed past the public alley to the two-way underground parking garage. The 9th Street Property Owners consider this public alley proposal of 20 feet for two-way traffic to be too narrow and hazardous for our commercial use. DDOT's Design and Engineering Manual for Public Space states, "all driveways shall be a minimum of 24-feet wide required for two-way traffic".

A major concern that we have is whether access into the public alley from the West Building's "Garage Entrance" will be accessible at all times (24/7) for use. Will an "overhead coiling door" be installed for the West Building as shown for the East Building's Garage Entrance?

The new alley/driveway configuration will impede us and our commercial tenants in their business operations and types of services provided, which could create health, sanitation and safety concerns. The elimination of the underground parking prevents a potentially impracticable "chain of events" from occurring.

We 9th Street Property Owners contend that the Florida Avenue entrance to the public alley is the only entrance large enough to accommodate the large trucks required in the operation of our commercial businesses. There is an exiting 8th Street entrance to the alley, however, that entrance is impacted by the placement of a utility pole that makes a 90 degree turn impossible serving to prevent large trucks from entering the alley and navigating to the northern properties in the public alley; similarly, the "T" Street entrance is too narrow to accommodate the entering of large trucks. Any closure of the Florida Avenue entrance therefore would cause us irreparable harm.

- **Traffic Patterns/Congestions**

A related concern is the amount of traffic onto a heavily traveled commercial corridor and the potential "bottlenecks" that will occur attempting to enter and exit on 9th Street from the proposed West Building's service locations and parking garage. Although the DC Department of Transportation's (DDOT) Public Realm Design Manual says, "driveways shall be designed to avoid vehicle backing and vehicle waiting within the street;" and "where the driveway provides access to a

parking facility, the driveway shall provide a sufficient off-street storage area for vehicles waiting to enter the parking facility”, JBG Companies has requested a zoning variance for its service locations and parking garage that will not satisfy the DDOT’s requirements which, we fear, will make a bad situation worse.

- **Affordable Housing**

JBG’s BZA application request an increase lot occupancy for residential, but fails to honor the mixed-income development tenancy. We recommend a minimum 20% affordable housing to be provided on this site. In a recent DC newspaper article, it stated, *“Affordable housing is an integral piece to economic development in the District of Columbia. A thriving economy rests on diversity of residents. By investing in affordable housing, the District helps to diversity its economy and helps to ensure that the District is a place where residents across the economic spectrum can live”*.

Conclusion

The 9th Street Property Owners’ goal is to seek a balance in respecting the Greater U Street Historic District’s past while embracing its new diversity. The JBG Companies’ development and architectural drawings will not accomplish these objectives because the Variance Relief Requested for the West Site is too severe and is in noncompliance with the Historic Preservation and DDOT requirements. For the above reasons, the BZA should disapprove the Area Variances and Special Exceptions for the West site, as rendered.

Thank You.

Square 393 9th Street Property Owners

HAND-DELIVERED AND VIA ELECTRONIC MAIL

September 12, 2012

**Honorable Darrell Issa
U.S. House of Representatives
Chairman, House Oversight & Government Reform Committee
2347 Rayburn House Office Building
Washington, DC 20515**

**Honorable Elijah Cummings
U.S. House of Representatives
Minority Ranking Member, House Oversight & Government Reform Committee
2235 Rayburn House Office Building
Washington, DC 20515**

Dear Congressmen Issa and Cummings:

As an owner of the impacted property at 1923 9th Street, NW, Washington, DC 20001, I wish to state my opposition to the proposed closing in Square 393 of the northern and southern sections of the public alley adjacent to Lots 44, 826, 41 and 45 in Ward One's Greater U Street Historic District. An application has been filed by the Florida Avenue Residential LLC (JBG Companies) with the District of Columbia (DC) Department of Consumers and Regulatory Affairs' (DCRA) Office of Surveyor (OS) requesting closure and reconfiguration of the public alley as part of its proposed construction of a 6 ½ story mixed-use development.

On Thursday, October 4, 2012, a DC City Council public hearing will be held to consider approval of JBG Companies proposal to permanently close and reconfigure this 10-foot wide public alley to exit onto the 1900 block of 9th Street NW. Given that the DC City Council must receive approval from the Congressional Oversight & Government Reform Committee before final approval is granted, and as Chairman and Ranking Minority Member of this Committee, I am writing to inform your Committee of my opposition and that of the thirteen (13) other 9th Street Property Owners the alley closing will impact. We have met with and offered JBG Companies recommendations to avoid or minimize the disruption their plans would cause but have been rebuffed at every juncture.

On April 3, 2012, a letter signed by the Square 393 9th Street property owners and addressed to Ward One Council Member Jim Graham, with copies to Mayor Vincent Gray and the other DC Councilmembers, was mailed opposing the proposed closing of the northern and southern sections of the public alley adjacent to Lots 44, 826, 41 and 45. In the letter, we reiterated the hardship such closure would cause. See attached copy of April 3, 2012 letter.

To voice our ongoing opposition, we property owners have testified before the DC Historic Preservation Review Board (HPRB) on May 31, 2012 and July 26, 2012; and on June 26, 2012 filed our written opposition with the DC Office of Zoning regarding BZA Application Number 18397 and will be testifying on September 18, 2012 before the DC Board of Zoning Adjustment (BZA). Each time we have expressed our concerns with JBG Companies' refusal to consider our opposition to the closing of the public alley and other identified design issues. At the conclusion of the July 26th HPRB public hearing, JBG Companies was instructed to meet with us to review and discuss our project concerns. A meeting was held September 10, 2012 in which alternative approaches were discussed including our earlier recommendation of constructing an overhead walkway on Level 2 of the West building between Lots 44 and 45. However, no agreement was reached on the alley closing regarding the hardship their design plans pose to the property owners' ability to operate our businesses.

Keeping the current configuration of the public alley onto the 800 block of Florida Avenue NW would serve to avoid disrupting the heavily used 9th Street commercial corridor and, in turn, prevent the resulting negative impact on the operation of our commercial businesses in that block. As most of the commercial properties in the 1900 block of 9th Street NW are assessed at more than one million dollars, the owners' ability to remain competitive without diminishing the commercial appeal and functionality of our properties is severely compromised. The closure of the northern end (Florida Avenue) of the public alley and creation of a 20 foot alley entrance for two-way traffic on the 1900 block of 9th Street would serve to defeat this purpose by, among other things, restricting the ability of the large trash trucks that service our properties (some of which are restaurants) from accessing the rear.

A related concern is the amount of traffic onto a heavily traveled commercial corridor and the potential "bottlenecks" that will occur attempting to enter and exit on 9th Street from the proposed West Building's service locations and parking garage. Although the DC Department of Transportation's (DDOT) Public Realm Design Manual says, "driveways shall be designed to avoid vehicle backing and vehicle waiting within the street;" and "where the driveway provides access to a parking facility, the driveway shall provide a sufficient off-street storage area for vehicles waiting to enter the parking facility", JBG Companies has requested a zoning variance for its service locations and parking garage that will not satisfy the DDOT's requirements which, we fear, will make a bad situation worse.

As we have stated the proposed West Building Garage Entrance is to be located on 9th Street. The design of the West Building's entrance to its underground parking and service locations consists of entering a covered driveway with a clearance of 17'6" that JBG Companies says is also the entrance to the public alley. The entrance to the public alley from 9th Street would require driving past service locations, to either turn right to enter the remaining portion of the North/South public alley, which is outside of the covered driveway area or proceed past the

public alley to the two-way underground parking garage. The 9th Street Property Owners consider this public alley proposal of 20 feet for two-way traffic to be too narrow and hazardous for our commercial use. Entry to the service locations on 9th Street would serve to make the 1900 block of 9th Street the staging area for services to the proposed building, i.e., making us the West Building's "back door" and would be incompatible with the ambiance of our commercial corridor.

We 9th Street Property Owners contend that the Florida Avenue entrance to the public alley is the only entrance large enough to accommodate the large trucks required in the operation of our commercial businesses. There is an exiting 8th Street entrance to the alley, however, that entrance is impacted by the placement of a utility pole that makes a 90 degree turn impossible serving to prevent large trucks from entering the alley and navigating to the northern properties in the public alley; similarly, the "T" Street entrance is too narrow to accommodate the entering of large trucks. Any closure of the Florida Avenue entrance therefore would cause us irreparable harm.

In closing, we welcome the development JBG Companies and others bring to the commercial corridors within the U Street Historic District and the vitality new residents and other visitors bring, but the proposed actions are no less than an impermissible public taking by the District of Columbia to benefit a private developer to the detriment of existing business and property owners. Thank you, in advance, for your assistance with this matter, and I look forward to hearing from you. If you have any questions, I can be reached on (202) 439-6563 or landmcontracting@aol.com.

Sincerely,



David B. Lindeman
1923 9th Street NW
Washington, DC 20001

Cc: Congressman Trey Gowdy, Chairman,
Health Care, District of Columbia, Census & the National Archives
Subcommittee
Congresswoman Eleanor Holmes Norton, Delegate
Mayor Vincent Gray
Councilmember Phil Mendelson, Chairman DC City Council
Councilmember Jim Graham, Ward 1
DC Councilmembers for Ward 2-8 & At-Large

April 3, 2012

Council Member Jim Graham, Ward 1
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 105
Washington, DC 20004

Subject: JBG Application to Close the Alley Bisecting Square 393

Dear Council Member Graham:

We the undersigned, property owners, in the 1900 9th Street, NW block of Square 393, wish to state our opposition to the proposed closing of the northern and southern sections of the public alley adjacent to Lots 44, 826, 41 and 45.

Florida Avenue Residential LLC (JBG Companies) met with ANC-1B and decided to proceed with the construction of a mixed use development fronting Florida Avenue between 8th and 9th Streets NW, which includes a partial closing of a 10 ft public alley. Prior to JBG Companies receiving the ANC's approval, one significant course of action required is the notification of all property owners directly impacted by the project to solicit and receive their input during the project development stage — an action that did not occur with the property owners on 9th Street NW. The notification process used by ANC Commissioner Myla Moss and a JBG representative was to hand-deliver flyers to the buildings in the 1900 9th Street block announcing the project and seeking the participation of the owners in a series of meetings. Because JBG Companies and ANC - IB did not use the D.C. Real Property Tax Assessment Database to locate the property owners in the 1900 9th Street and communicate directly with them, the owners were unaware of the project and did not participate in the developmental stages of the project.

Mr. David B. Lindeman, an owner/partner of 1923 9th Street NW LLP, learned of the project upon receipt of the January 27, 2012 Department of Consumer and Regulatory Affairs Office of the Surveyor Notice. (See Attachment.) **The Notice was not mailed to all property owners whose properties abut the public alley system.** Mr. Lindeman contacted the D.C. Office of the Surveyor and received a January 18, 2012 update of JBG Companies' progress, which included the November 28, 2011 **Application to Close/Dedicate a Street or Alley or Elimination of Building Restriction Line.** Mr. Lindeman wrote the February 21, 2012 letter, with exhibits, to the D.C. Surveyor's Office in opposition to the proposed alley closing behind the properties of 1900 9th Street NW. (See Attachment.)

On Wednesday, March 21, 2012, six owners of property in the 1900 block of 9th Street NW met with ANC-IB Commission Chairperson Myla Moss and Ms. Lauren Jezienicki representing JBG Companies, regarding the building of the mixed use development with residential units atop a podium of ground floor retail fronting Florida Avenue between 9th and 8th Streets, to express opposition to the proposed alley closing behind the properties of 1900 9th Street NW. As a result of

the meeting, JBG Companies issued, "notes from our discussion" requesting "Please let me know if you like to correct or revise anything contained here". The owners take exception to Ms. Jezienicki's summary of the meeting because it failed to address our primary concern, the permanent closing of the northern entrance of the alley behind Lots 44, 826 and 41 and the impact it will have on the properties and businesses for the entire block, especially during the 18-24 month estimated construction period.

The owners object to the permanent closing of the northern entrance (Florida Ave, NW) of the alley because:

1. JBG Companies and ANC- IB failed to timely notify the property owners in the 1900 block of 9th Street NW of the building of a mixed used development with residential units atop a podium of ground floor retail fronting Florida Avenue between 8th and 9th Streets NW. The method of delivering flyers door-to- door, announcing the project instead of utilizing the D.C. Real Property Tax Assessment Database to locate the property owners served to prevent our participation in the developmental stage of the project.
2. The Florida Avenue entrance to the alley is the only entrance large enough to accommodate the large trucks that used it, for example, to load and unload roofing materials. The 8th Street entrance to the alley is impacted by the placement of a utility pole that makes a 90 degree turn difficult and serves to prevent large trucks from entering the alley and navigating to the northern properties in the alley; and the "T" Street entrance is too narrow to accommodate the entering of large trucks.
3. All commercial tenants are required to maintain private trash collection services. The businesses, without access to the public alley would be subjected to health and sanitation concerns because they cannot accommodate locking metal dumpsters which are delivered and retrieved.
4. The closed portion of the alley behind lots 44, 826, 41 would serve to create an unsightly area ripe for heightened criminal activity, including but not limited to, the dumping of stolen and abandoned cars, the dumping of garbage, and the creation of unsightly and unhealthy conditions inhabited by rodents and other scavengers seeking food and shelter.
5. As most of the commercial properties in the 1900 9th Street NW are assessed at more than one million dollars, the owners are obligated to remain competitive and not diminish the commercial appeal and functionality of their property. The closure of the northern end (Florida Avenue) of the alley would serve to defeat this purpose.
6. JBG Companies is unjustly taking the northern portion of the alley in Square 393. Closing the alley would serve to compromise the relationship of the remaining portion of the alley to the building sites and surroundings.

For these reasons, we the undersigned owners of property in the 1900 block of 9th Street NW in Square 393 ask your assistance in gaining amenable relief. If you have any questions about this matter, please contact David Lindeman at 202-439-6563. We are:

B. Horvath 1913 9th St. N.W.

B. Horvath 1911 9th St. N.W.

Palmer W. Johnson Trustee 1901 9th St. N.W.

~~Frank~~ 1903 - 9th St NW

DGR 1923 9th St Limited Partnership

Ernest A. Aiken 1919, 9th Street, NW DC

Meghan Johnson 1909 9th St NW DC

Tameru Cemenfes 1917 9th St. N.W. DC

Martha Cemenfes 1915 9th St. NW

W. C. William & Michelle Lewis
1905 9th St, NW

Stanner H. Ebermichael 1907 - 9th St NW

Attachments (2)

Cc: Chairman Kwame R. Brown, DC City Council
Councilmember David A. Catania

Councilmember Phil Mendelson
Councilmember Michael A. Brown
Councilmember Vincent B. Orange
Councilmember Jack Evans
Councilmember Mary M. Cheh
Councilmember Muriel Bowser
Councilmember Tommy Wells
Councilmember Yvette M. Alexander
Councilmember Marion Barry
Myla Moss, Chairperson, ANC 1B/1B01
ANC 1B02 Alexandra Lewin-Zwerding
ANC 1B03 Sedrick Muhammad
ANC 1B04 Deborah Thomas
ANC 1B05 Mary Streett
ANC 1B06 Charles Meisch
ANC 1B07 Juan Lopez
ANC 1B08 Ahnna Smith
ANC 1B09 Lauren McKenzie
ANC 1B10 Tony Norman
ANC 1B11 E. Gail Anderson Holness
Harriet Tregoning, Director, DC Office of Planning
Steve Callcott, DC Historic Preservation Review Board
Roland F. Dreist, Jr., DC Surveyor
Lauren Jezienicki, JBG Companies
Marc S. Moskowitz, Esq.
Property Owners in the 1900 9th St NW Block

ARTS/C-2-B PROPERTIES IN SQUARE 393

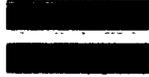
PROPERTY	BUSINESS NAME	OWNER OF RECORD¹
Florida Avenue NW/Lot 45	JBG Companies	Florida Avenue Residential LLC
9 th Street NW/Lot 44	JBG Companies	Florida Avenue Residential LLC
1935-1937 9 th Street NW/Lot 826	Serv-U Liquors- Zula Restaurant	M Ghebretinsae
1931 9 th Street NW/Lot 41	Parking Lot	Teles Professional Services LLC
1923 9 th Street NW/Lot 42	L&M Contracting	1923 9 th St NW LP
1919 9 th Street NW/Lot 43	Martin's Rest & Lounge/Habesha Market	Smart E Aziken
1917 9 th Street NW/Lot 807	Queen Makeda Ethiopian Restaurant	Tameru Zemenfes
1915 9 th Street NW/Lot 806	Yetenbi Restaurant	Tameru Zemenfes
1913 9 th Street NW/Lot 805	Retail & Housing	Behzad Hosseinkhan
1911 9 th Street NW/Lot 804	Retail & Housing	Behzad Hosseinkhan
1909 9 th Street NW/Lot 824	Merkato Ethiopian Restaurant	Mezgebu Gebeyehu
1907 9 th Street NW/Lot 33	Ambassador Bar & Rest/Salon Solace	Gebremichael Yohannes
1905 9 th Street NW/Lot 802	Boston Wine & Spirits Delicatessen	William Lewis
1903 9 th Street NW/Lot 801	Residence/Office	Renee T Fautroy
1901 9 th Street NW/Lot 800	Ethiopian Community Services	Padabla Ltd Revocable Trust
1916-1930 8 th Street NW/Lot 46	Parking Lot	Medial Inc
1914 8 th Street NW/Lot 821	Single Family Residence	Michael C Fry
1912 8 th Street NW/Lot 48	7 Condominiums	Multiple Owners
1910 8 th Street NW/Lot 47	5 Condominiums	Multiple Owners

¹ Source: April 1, 2012 D.C. Real Property Tax Assessment Database

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Consumer and Regulatory Affairs



Office of the Surveyor



NOTICE OF APPLICATION
TO
CLOSE A STREET OR ALLEY

TO: 1923 9th Street, NW LP

Date: January 27, 2012
File No. S.O. 11-08780

An application has been filed in the Office of the Surveyor for:

Proposed closing of a public alley and Public Alley Easements Established in Square 393.

This notice is required pursuant to Section 9-202.02(6) of the D.C. Code of Law because you are a owner of property abutting the above public alley system affected by this proposal.

For further information on this proposal, you may contact the Office of the Surveyor at 1100 4th Street, S.W., 3rd Floor, Washington, D.C. 20024 between the hours of 8:30 a.m., and 4:15 p.m. The telephone number is (202) 442-4984. Please refer to the above mentioned S.O. File Number.

Sincerely,

Roland F. Dreist, Jr.
Surveyor, DC

Square(s): 393

Lot(s): 42

1923 9th St. NW LLP

**7559 Alaska Ave. NW
Washington, DC 20012**

February 21, 2012

Mr. Roland F. Dreist, Jr.
Department of the District of Columbia
Permits Division – Surveyor's Office
1100 4th St., SW, 3rd Floor
Washington, DC 20024-4471

Dear Mr. Dreist:

I am writing in opposition to the proposed alley closing behind our property at 1923 9th St. NW (SSL 0393 0042) as per file S.O. 11-08780. We have owned this property for 30 years, and we operate our historic roofing business from there.

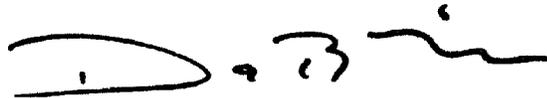
We use the northern entrance of the alley from Florida Avenue to drive our vehicles to our property. This is the portion of the alley to be closed if this application is granted. (See attached copy of the platt from the application.) The other two entrances to this alley are too narrow to allow anything larger than a small pickup to get to our property.

Although the proposed plans are to widen part of the alley to the south, there can ultimately be no widening of the southern alley entrance from T St. NW because two existing properties prevent this. (See attached support document, "Southern Alley Entrance from T St. NW.")

The alley from 8th St. NW makes a sharp 90 degree turn where it joins the north/south alley behind 9th St. NW. This turn makes it impossible to get to our property from there. (See attached support document, "Alley Entrance from 8th St. NW.")

If this alley is closed, we will no longer have the full use of our property, which is required to run our business. We therefore oppose the closing set forth in file S.O. 11-08780.

Sincerely,



David B. Lindeman
Partner
1923 9th St. NW LLP

Enclosures

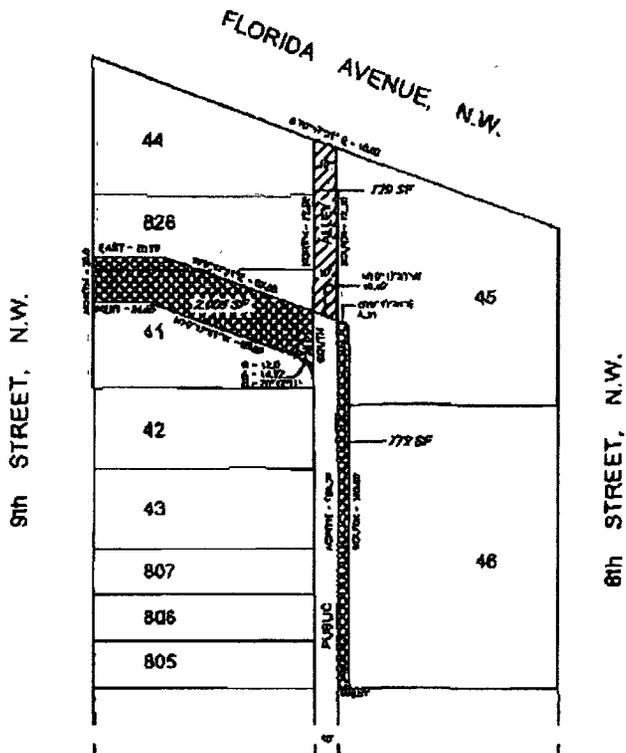
PUBLIC ALLEY CLOSED AND PUBLIC ALLEY EASEMENTS ESTABLISHED SQUARE 393

THE ALLEY SHOWN HEREIN: XXXXX IS CLOSED AND TITLE HEREIN AS SHOWN UPON RECORDATION OF THIS P.L.A. ALLEY EASEMENTS SHOWN THIS: XXXXX ARE ALSO ESTABLISHED

OFFICE OF THE SURVEYOR, D.C.
_____, 1953

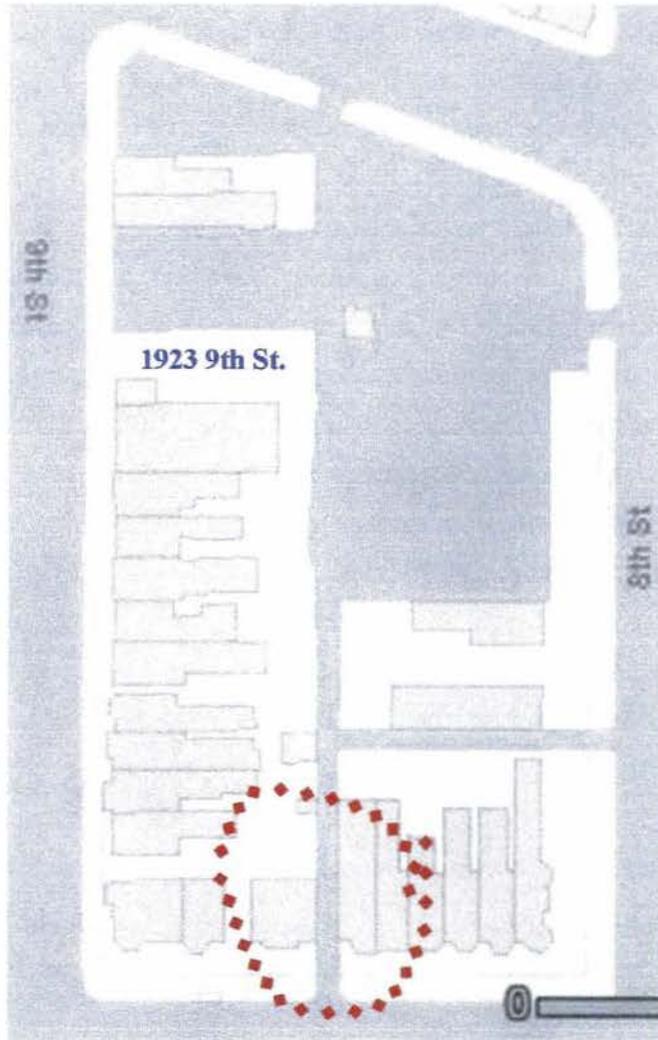
I CERTIFY THAT THIS PLAT IS CORRECT AND IS APPROVED

SURVEYOR, D.C.

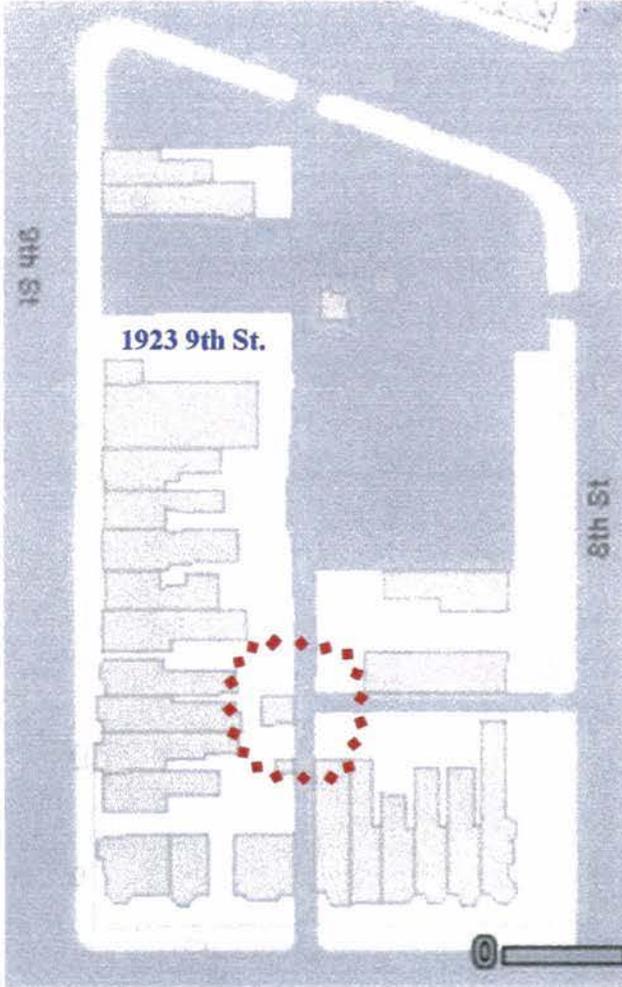


SURVEYORS OFFICE, D.C.	
Made by: <u>J.S. CAMPBELL</u>	
Drawn by: <u>L.E.S.</u>	Checked by: _____
Record and computations by: <u>B. HAYES</u>	
Approved by: _____	
Approved by: _____	PLAT NO. <u>25-14-0223</u>
Public 1 inch = 30 feet	File No. <u>14-0223</u>

Southern Alley Entrance from 9th St. NW



Alley Entrance from 8th St. NW



The entrance to the alley from 8th St. NW



90 degree turn joining the alley behind 9th St. NW
(Identified by dotted red line)