

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Christopher H. Collins
202.457.7841
chris.collins@hklaw.com

October 22, 2013

By email-- bzasubmissions@dc.gov

Board of Zoning Adjustment
441 4th Street, NW
Suite 200S
Washington, DC 20001

Re: Application No. 18614--SMC United Industrial Limited Partnership

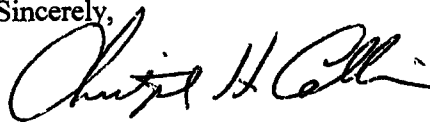
Honorable Members of the Board:

At the close of the public hearing on this matter on September 24, 2013, the Board allowed the ANC to submit a report by October 18, 2013 and gave the Applicant until October 23, 2013 to comment on that report. This hearing was continued until October 29, 2013.

The ANC's report in this case (which is attached hereto) is in the form of an agreement among the ANC, the Gateway Community Association and the Applicant. This is substantially the same form of ANC report as that which was submitted 10 years ago in Application No. 17049, when this parking lot special exception was last renewed. The Gateway Community Association voted to support this application at its public meeting on September 16, 2013, and the ANC voted to support this application at its public meeting of October 16, 2013. The support of those two organizations is reflected in the attached Agreement.

Thank you.

Sincerely,



Christopher H. Collins

cc: Karen Thomas, Office of Planning
Jacqueline Manning, Chair, ANC 5C
Delano Hunter, President, Gateway Community Association
Martin J. Sullivan, counsel for 30th Street Crescent LLC

CHC/mmc
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BOARD OF ZONING ADJUSTMENT
District of Columbia
CASE NO. 18614
EXHIBIT NO. 36

Board of Zoning Adjustment
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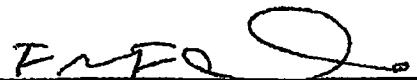
Agreement
by and between
SMC-United Industrial Limited Partnership (Stanley Martin Commercial, Inc.),
Advisory Neighborhood Commission 5C, and
Single Member District 5C 04

THIS AGREEMENT is part of Advisory Neighborhood Commission 5C (ANC 5C) and Single Member District 5C 04 (SMD) and the communities indication of support to the Board of Zoning Adjustment regarding SMC's Application #18164.

The parties hereto agree that the approval of Application #18164 is contingent upon whether the following is adhered to:

1. Approval of the application shall be for a period of ten (10) years.
2. The two (2) lots (numbers 28 and 29) located to the north of the facilities will remain as a vacant landscape buffer area between the residential and commercial land use.
3. The uses of the Lots 805 and 806 shall be restricted to the following:
 - A. The parking lot is intended for use by the tenants of the adjacent warehouse to the south. No commuter parking or public parking use, other than employees of the neighborhood properties, will be permitted at this facility at any time.
 - B. No vehicle maintenance, storage of equipment or dumping of trash or other refuse and debris will be permitted on the site.
 - C. Access to the parking lot may remain open during tenant business hours. The lot will be locked or access will be otherwise automatically controlled during non-tenant business hours.
 - D. Any lots not used for parking must be chained and locked.
 - E. The parking lot surfaces will remain paved and in good working condition.

This Agreement is entered into on 10/18/13.


Fred Farshey, President
Stanley Martin Commercial, Inc.,
for SMC-United Industrial
Limited Partnership


Jacqueline Manning
Chairperson ANC 5C, and
Commissioner, ANC 5C 04



Delano Hunter, President
Gateway Community Association

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