

# ARNOLD & PORTER LLP

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April 3, 2007

## VIA FACSIMILE

District of Columbia Zoning Commission  
441 4<sup>th</sup> Street, N.W.  
Suite 210  
Washington, D.C. 20001

RE: Zoning Commission Case No. 04-24A  
Rhode Island Avenue Metro PUD

Dear Members of the Commission:

The purpose of this submission by the applicant in the above-referenced case is to request that the Zoning Commission adopt one additional flexibility clause to the Second-Stage order. This has to do with the location of retail entrance doorways and associated windows. Specific retailers will require varying quantifies and configurations of ground floor space, which will clearly affect the location of doors and the configuration of display windows. Given the large extent of ground floor retail usage in the building, the applicant requests that the Commission adopt the following additional flexibility clause in Condition 11, with renumbering of existing Paragraph (d) to become (e):

- (d) *Vary the location and dimensions of retail entrances to accommodate the needs of specific retail tenants, and to adjust the location and dimensions of storefront windows accordingly.*

Thank you for your consideration of this proposed amendment.

Sincerely,  
ARNOLD & PORTER LLP



Cynthia A. Giordano



Nathan W. Gross, AICP

Cc: Advisory Neighborhood Commission 5B  
Office of Planning

ZONING COMMISSION  
District of Columbia

CASE NO. 04-24A  
EXHIBIT NO. 3D (WRG)  
ZONING COMMISSION  
District of Columbia  
CASE NO. 04-24A  
EXHIBIT NO. 32

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ZONING COMMISSION  
District of Columbia

CASE NO.

EXHIBIT NO.

04-24A  
32 (Fax)

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## Fax Transmittal

Date: 4/3/07

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Zoning Commission Attn: Sharon Schellin	202-727-6072	727-6311	
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Nate Gross	202-942-5956	1230A	
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Re: 04-24A. Thanks. Mailing original.

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