

# ARNOLD & PORTER LLP

**Nathan W. Gross**  
Zoning and Land Use Specialist  
Nathan\_Gross@aporter.com

Not Engaged in the Practice of Law

202.942.5956  
202.942.5999 Fax

555 Twelfth Street, NW  
Washington, DC 20004-1206

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 quantities 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

ZONING COMMISSION  
District of Columbia

CASE NO. 04-24A  
EXHIBIT NO. 32 (b) (2)  
ZONING COMMISSION  
District of Columbia  
CASE NO. 04-24A  
EXHIBIT NO. 32

Cc: Advisory Neighborhood Commission 5B  
Office of Planning

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ZONING COMMISSION  
District of Columbia

CASE NO. 04-24A  
EXHIBIT NO. 32 (Fax)

## ARNOLD &amp; PORTER LLP

202.942.5000  
202.942.5999 Fax555 Twelfth Street, NW  
Washington, DC 20004-1206

## Fax Transmittal

Date: 4/3/07

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Zoning Commis- sion Attn: Sharon Schlessin	202-727- 6072	727-6311	
SENDER	SENDER'S TELEPHONE NUMBER	SENDER'S ROOM NUMBER	
Nate Gross	202-942-5956	1230A	
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## MESSAGE

Re: 04-24A. Thanks. Midway  
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