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July 3, 2007

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**By Hand Delivery**

Anthony Hood, Chairperson  
D.C. Zoning Commission  
441 4<sup>th</sup> Street, NW  
Washington, DC 20036

2007 JUL - 3 AM 10:42  
D.C. OFFICE OF ZONING  
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**Re: Zoning Commission Case No. 05-35; Horning Brothers and Stanton Square, LLC (the "Applicant")  
Motion to Reopen the Record  
Revised Findings of Fact and Conclusions of Law**

Dear Chairperson Hood and Members of the Commission:

In accordance with 11 DCMR §3024.5, the Applicant hereby makes a motion to reopen the record in the above-mentioned case to accept this letter. There are no parties to this case that will be prejudiced by the Zoning Commission granting this motion to reopen the record, as Advisory Neighborhood Commission ("ANC") 8A is the only party in this case, and the contents of this letter specifically address the request of ANC 8A Commissioner Lendia Johnson.

During the May 24, 2007, public hearing in the above-mentioned case, Commissioners Hood and Mitten asked ANC 8A Commissioner Johnson whether the ANC and the District Department of Transportation ("DDOT") had come to an agreement as to whether DDOT will empty the trash receptacles that will be placed in the surrounding neighborhoods as a result of the community amenities package for this PUD application. ANC Commissioner Johnson noted that the ANC and DDOT "were still in conversation" regarding this issue. ANC Commissioner Johnson also testified that she had spoken with the Applicant about taking on this responsibility if DDOT did not agree to empty these trash receptacles.

In order to make the record in this case complete, the Applicant hereby agrees that the Stanton Square Homeowner's Association will undertake the responsibility of emptying the 30 commercial trash receptacles (36 gallon size) in the surrounding neighborhood in the event that DDOT does not agree to empty these trash receptacles.

ZONING COMMISSION  
District of Columbia  
CASE NO. 05-35  
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EXHIBIT NO. 37  
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The Applicant proposes the following, revised, Condition No. 2 as part of its proposed Findings of Fact and Conclusions of Law in this case.

2. The Applicant will make the following financial contributions as part of the PUD project:

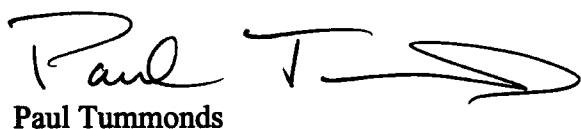
- **Public Space Improvements in the Community**  
The Applicant will make a financial contribution of \$30,000 that will be used for the purchase and placement of 30 commercial trash receptacles (36 gallon size with steel slats), 30 decorative pole banners, and 30 decorative single pole brackets for placement in the surrounding neighborhoods. The Applicant and representatives of ANC 8A will work with representatives of DDOT to determine location requirements and the ability of the District to remove the trash placed in the receptacles. **In the event that DDOT does not agree to empty these trash receptacles, the Stanton Square Homeowner's Association will undertake the responsibility for emptying these trash receptacles. (New language in bold.)**
- **Fort Stanton Recreation Center**  
The Applicant will make a financial contribution of \$30,000 to the Fort Stanton Civic Association that will be used for the purchase of computers (including service and technical support service contracts) for the Fort Stanton Recreation Center.
- **Signage in the Fort Stanton and Hillsdale Neighborhoods**  
The Applicant will contribute \$15,000 for the creation and installation of three signs welcoming visitors to the Fort Stanton and Hillsdale neighborhoods. Based on discussions with members of ANC 8A and the community, these signs are intended to be located at: Suitland Parkway and Stanton Road; Fort Place and Bruce Place (near the Smithsonian's Anacostia Community Museum); and Martin Luther King Boulevard and Howard Road.

These financial contributions will be made prior to the issuance of a building permit for the construction of the PUD project.

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Granting the Applicant's request to reopen the record does not prejudice the rights of ANC 8A, the only party to this application. With the acceptance of this letter, the Zoning Commission has a complete record before it and is able to take Proposed Action on the application at the July 9, 2007, public meeting.

Sincerely,



Paul Tummonds

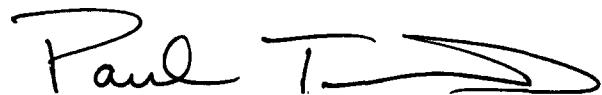
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## **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of this letter was delivered by e-mail and first class mail to the following on July 3, 2007.

Karen Thomas  
Office of Planning  
801 North Capitol Street, N.E.  
4<sup>th</sup> Floor  
Washington, DC 20001

Lendia Johnson  
Commissioner, ANC 8A07  
1512 Howard Place, SE  
Washington, DC 20020



Paul Tummonds