

Holland & Knight

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January 6, 2010

VIA HAND DELIVERY

D.C. Zoning Commission
Suite 210
441 4th Street, N.W.
Washington D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2010 JAN -6 PM 3:48
Norman M. Glasgow, Jr.
202 419 2460
steven.sher@hklaw.com

Re: Case No. 06-01A
Withdrawal of Request for Extension of Approved PUD
Square 776 - 3rd and H Streets, N.E.

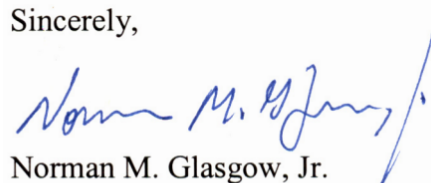
Dear Members of the Commission:

On July 7, 2009, we filed a request (assigned Case No. 06-01A) on behalf of Steuart-H Street, LLC for a two year extension of Z.C. Order No. 06-01, which approved a planned unit development for a mixed use residential development with retail, including a grocery store, on the ground floor. On August 31, 2009, we filed a request (assigned Case No. 06-01B) for a modification to that original PUD to reduce the size of the building and make other changes to put the project in the position where it could go forward. On September 14, 2009, the Commission set a hearing on the modification but deferred action on the extension pending action on the modification.

A hearing on the modification was held on November 30, 2009, and the Commission took proposed action to approve the modification at the end of the hearing. Final action is scheduled for consideration at the Commission's meeting on January 11, 2010. The agenda also includes consideration of Case No. 06-01A, the extension request. Since the extension request was submitted to preserve the rights under the approved PUD in the event that the Commission did not approve the modification, the applicant hereby withdraws the extension request, making further consideration by the Commission of that request unnecessary.

We appreciate the Commission's consideration of this matter.

Sincerely,



Norman M. Glasgow, Jr.

cc: Advisory Neighborhood Commission 6C
Jennifer Steingasser, D.C. Office of Planning

ZONING COMMISSION
District of Columbia

CASE NO.

06-01A

EXHIBIT NO.

5

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ZONING COMMISSION
District of Columbia
CASE NO. 06-01A
EXHIBIT NO. 5