

RECEIVED
D C OFFICE OF ZONING
2007 JUL 17 PM 3 23

Wayne S. Quin
202-663-7274
wayne.quin@hklaw.com

Kyrus L. Freeman
202-862-5978
kyrus.freeman@hklaw.com

July 17, 2007

VIA HAND DELIVERY
D C Zoning Commission
441 4th Street, N W
Suite 210
Washington, DC 20001

Re Zoning Commission Case No 06-30 (Pollin Memorial Community Development – Consolidated PUD and Related Map Amendment)

Dear Members of the Commission

Counsel for the Applicant has obtained from the Office of Zoning a letter filed by Dorothy Douglas, Chairperson of ANC 7D, on July 16, 2007 concerning this case. For your convenience, a copy of that letter is attached hereto at Tab A. ANC 7D had previously unanimously voted to support this Application as evidenced by letters dated June 14, 2006 and July 13, 2006, also attached hereto as Tab B for your convenience. The public hearing on this application is set for Monday, July 23rd and all witnesses for the Applicant are prepared to proceed.

As the Zoning Commission is aware, the Applicant and the National Park Service have successfully resolved jurisdictional issues regarding the land that is subject to this PUD since the original Zoning Commission meeting on July 24, 2006. The project today is essentially the same except for grading changes necessary to respond to flood plain issues.

To make clear to the Zoning Commission and for the record, as soon as the jurisdictional issues, flood plain and environmental concerns were addressed, the Applicant forwarded its plans to ANC 7D on April 26, 2007 by first-class mail to the official address listed for ANC 7D. The Applicant's additional filings were also sent by first-class mail to ANC 7D's official address. Additional attempts by the Applicant to reach the ANC include the following:

- On June 3, 2007, the Applicant's representative emailed Commissioner Michelle Starr, the SMD representative, requesting a meeting to discuss the project, with no response,
- On June 15, 2007, the Applicant's representative emailed Chairperson Dorothy Douglas anc7d@earthlink.net with a request for the development team to meet with the ANC Commissioners to discuss the project and the public hearing, with no response,

ZONING COMMISSION
District of Columbia
CASE NO. 06-30
EXHIBIT NO. 33

- On June 15, 2007, the Applicant's representative called each Commissioner, spoke with Commissioner Tingling-Clemmons regarding the project and left a voicemail for Commissioner Tony Scurry regarding the project and requesting a meeting,
- On June 15, 2006, the Applicant's representative sent a letter to each Commissioner via U S Mail describing the project and requested a meeting, with no response,
- On June 18, 2007, the Applicant's representative emailed Chairperson Douglas as well as Commissioners Scurry, Raglin, and Starr with a request for a meeting to discuss the project and also attached the June 15th letter, with no response,
- On June 19, 2007, the Applicant's representative spoke with Commissioner Tony Scurry via telephone and requested information about when the development team could meet with the ANC to discuss the project Commissioner Scurry stated he would contact Chairperson Douglass and that he would let the Applicant know the best time to reach Chairperson Douglas,
- The Applicant's representative called Chairperson Douglas on June 19, 2007 and was requested that the Applicant's representative should call back the next day between 9 00am and 10 00am, which the representative did but received no response, and
- The Applicant's representative spoke with Chairperson Douglas a number of times during the week of July 9th about trying to schedule a special meeting prior to the hearing of July 23rd, but no progress was made during these discussions

In closing, the Applicant has always sought the support of ANC 7D However, the ANC did not respond to any of the Applicant's requests to permit the Applicant to make an additional presentation to update the ANC on the project The Applicant, therefore, opposes any requests for postponement of the July 23rd hearing, but welcomes the opportunity to meet with ANC 7D to review the project and to keeping the record open for ANC 7D to submit additional comments prior to final action on this Application

We are extremely hopeful that ANC 7D will take official action, as it previously did to continue to support the project

Sincerely,



Wayne S Quinn



Kyrus L Freeman

cc Sally Blumenthal, NPS (via Hand)
Commissioner Dorothy Douglas, 4401 Minnesota Avenue, NE, Washington DC 20002 (via hand)
Commissioner Veronica Raglin, 408 21st St , NE, Washington DC 20018 (via hand)
Commissioner Sharita Slayton, 918 42nd St , NE, Washington DC 20019 (via hand)
Commissioner Warees Majeed, 316 34th St , NE, Washington DC 20019 (via hand)
Commissioner Rick Tingling-Clemmons, 4614 Central Ave , NE, Wash , DC 20019 (via hand)
Commissioner Tony Scurry, 4208 Benning Rd , NE, Washington DC 20019 (via hand)
Jennifer L Steingasser, D C Office of Planning 20019 (via hand)
Matt Jesick, D C Office of Planning (via hand)
John Stranix (via UPS)
Bhavna Mistry (via UPS)
Steve Sher