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November 21, 2007

BY HAND DELIVERY

Ms. Jerrily Kress  
 Director  
 District of Columbia Office of Zoning  
 441 Fourth Street, N.W., Suite 200S  
 Washington, D.C. 20001

Re: Z.C. Case No. 07-16; Planned Unit Development at  
 2300 Pennsylvania Avenue, S.E.

Dear Ms. Kress:

Enclosed with this letter please find the Affidavit of Posting for Z.C. Case No. 07-16. Under the requirements of Section 3015.4 of the Zoning Regulations, the subject property, the 2300 block of Pennsylvania Avenue, S.E., was to be posted on October 20, 2007. Regrettably, it came to our attention today that the property was not posted with notice of hearing on that required date. The property is posted as of November 21, 2007.

However, despite this particular deficiency in notice, the objective of timely and complete notification to the community has been achieved through other measures. The Applicant met with the ANC for the first time in February, 2007. The Notice of Intent to File was mailed out to the ANC and the owners of property within 200 feet in March. Since the filing of the Application in May, the Applicant has been working tirelessly with the community (Please see the attached "Community Outreach Calendar"). The attached Calendar lists meetings the Applicant has attended since April 2007 with the community leaders. Included on the list are the Fairlawn Citizens Association, the ANC, Ward 8 council meetings, the Main Street Anacostia group and other community leaders. Through all of these events and meetings, the Applicant has made a concerted effort to publicize the project and to be involved with the Ward 8 and Fairlawn community.

ZONING COMMISSION  
 District of Columbia  
 ZONING COMMISSION  
 District of Columbia  
 CASE NO. 07-16  
 EXHIBIT NO. 47

GREENSTEIN, DELORME & LUCHS, P.C.

Ms. Jerrily Kress

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Thus, we believe that the affected community has been sufficiently noticed and the intent of the notice requirements in the Zoning Regulations have been met.

For these reasons, we request a waiver from the requirements of Section 3015.4 of the Zoning Regulations to allow the late posting of the property with notice of hearing.

Thank you for your consideration.

Sincerely yours,



Stephanie A. Baldwin

326245v1

cc: Mr. Timothy Chapman  
Jacques B. DePuy, Esquire

BEFORE  
THE DISTRICT OF COLUMBIA  
ZONING COMMISSION

RECEIVED  
D.C. OFFICE OF ZONING  
NOV 21 PM 12:53

In Re: 2300 Pennsylvania Avenue, LLC –  
Consolidated Planned Unit Development

Case No.: 07-16

AFFIDAVIT OF POSTING

DISTRICT OF COLUMBIA, ss:

Stephanie Baldwin, being first duly sworn, does hereby depose and say that:

I, Stephanie Baldwin, on November 21, 2007 at 11:00 a.m. to 1:00 p.m., caused 5  
(Date) (Time)

Zoning Notice(s) furnished by the Secretary to the Zoning Commission to be posted on  
the street frontage of Pennsylvania Avenue, S.E. and Prout Street, S.E.  
(Address of Premises)

in plain view of the public on the following street frontages:

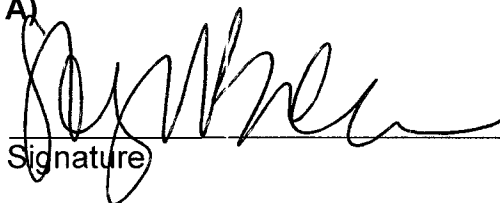
**(See Attachment A)**

I caused to be taken 5 photograph(s), attached hereto, of the Zoning  
Notice(s) in place which fairly depict each Zoning Notice as seen by the public. The  
photographs are numbered and correspond to the following street frontages:

Number

Street Frontages

**(See Attachment A)**

  
Signature

Subscribed and sworn to before me this 21st day of November, 2007.

  
Notary Public, D.C.

My commission expires on: 1/1/2008.

## Community Outreach Calendar

### April 2007

Fri, April 13, 2007 3:00 p.m. Ward 8 Business Council Project Presentation  
Tues, April 17, 2007 7:00 p.m. Fairlawn Citizens Association Mtg Project Presentation  
Wed, April 18, 2007 10:30 a.m. Ward 8 Econ Dev Roundtable Project Presentation  
Fri, April 20, 2007 12:00 p.m. Comm. Mtg @ Lotus Square Project Presentation  
Mon, April 23, 2007 7:00 p.m. Penn Ave Task Force Mtg Cancelled  
Fri, April 27, 2007 12:00 p.m. Meeting with Thelma Jones Follow Up  
Mon, April 30, 2007 7:00 p.m. Penn. Ave Task Force Mtg. Cancelled

### May 2007

Tues, May 1, 2007 6:30 p.m. Fairlawn Executive Comm. Mtg. Follow Up  
Tues, May 8, 2007 10:30 a.m. Ward 8 Econ Dev Roundtable Attended Meeting  
Tues, May 15, 2007 7:00 p.m. Fairlawn Citizens Association Project Presentation

### June 2007

Thurs, June 7, 2007 3:00 p.m. Meeting with Thelma Jones Follow Up  
Tues, June 19, 2007 7:00 p.m. Fairlawn Citizens Association Follow Up  
Thurs, June 28, 2007 7:00 p.m. Anacostia Civic Association Cancelled

### July 2007

Mon, July 9, 2007 11:30 a.m. Ward 8 Pre-Bidders Conf Planning Meeting  
Mon, July 16, 2007 12:00 p.m. Lunch w/ Rev. Oliver Johnson Bread & Chocolate  
Wed, July 13, 2007 12:00 p.m. Bozzuto Construction Planning Meeting  
Mon, July 30, 2007 11:30 a.m. Meeting w/ Earth Cons. Corp. Planning Meeting

### August 2007

Sun, August 5, 2007 All Day Retail Survey Outreach Fairlawn  
Thurs, August 16, 2007 10:00 a.m. Pre-Bidders Conf. Mtg at Chap Off Planning  
Tues, August 14, 2007 12:00 p.m. Lunch w/ Rev. Oliver Johnson Follow Up  
Thurs, August 23, 2007 7:00 p.m. Ward 8 Retailers Conference Presentation  
Fri, August 24, 2007 10:00 a.m. Ward 8 Back to School Bash Book Bags for Kids  
Thurs, August 30, 2007 12:00 p.m. WDC Econ Partnership Re: Retail w/Keith Sellars

### September 2007

Wed, Sept. 12, 2007 6:30 p.m. Main Street Anacostia Streetscape  
Mon, Sept. 17, 2007 7:00 p.m. W8 Workforce Dev. Council Jobs  
Tues, Sept. 18, 2007 6:30 p.m. W8 Business Council Monthly Meeting  
Mon, Sept. 24, 2007 7:00 p.m. W8 Workforce Dev. Council Job Tours  
Thurs, Sept. 27, 2007 10:30 a.m. W8 History/Heritage Council Monthly Meeting  
Thurs, Sept. 27, 2007 1:00 p.m. Recreation Meeting Dev Rec Plan

### October 2007

Mon, Oct. 1, 2007 7:00 p.m. W8 Workforce Dev. Council Jobs  
Fri, Oct. 5, 2007 1:00 p.m. Mtg w/ Com. Anthony Muhammad Follow Up  
Wed., Oct. 17, 2007 3:30 p.m. Glen O'Gilvie, ECC Follow Up  
Fri, Oct. 19, 2007 10:00 a.m. W8 CBE Pre-Bidders Conference CBEs  
Wed, Oct. 31, 2007 10:30 a.m. W8 History/Heritage Council History

### November 2007

Tues, Nov. 6, 2007 7:00 p.m. Wkforce Dev. Public Forum Comm. Mtg  
Tues, Nov. 13, 2007 10:00 a.m. W8 Ministerial Council Meeting  
Tues, Nov. 13, 2007 6:30 p.m. W8 Business Council Meeting  
Fri, Nov. 16, 2007 12:30 p.m. Employment Law Workshop CBEs  
Tues, Nov. 27, 2007 12:30 p.m. Section A Workshop CBEs

## ATTACHMENT A

### List of Placard Posting Locations:

1. The placard shown in photograph #1 is located on Pennsylvania Avenue, SE across from the Citgo intersection of Fairlawn Ave, SE and Pennsylvania Avenue, SE.
2. The placard shown in photograph #2 is located on Pennsylvania Avenue, SE just past The Tattoo Shop, next to alleyway.
3. The placard shown in photograph #3 is located on Pennsylvania Avenue, SE across from the Citgo Gas Station main entrance.
4. The placard shown in photograph #4 is located at the intersection of Pennsylvania Avenue, SE and Prout Streets, SE.
5. The placard shown in photograph #5 is located on Prout Street, SE.



[illegible]

CASE NO.

07-16

OF

2300 Pennsylvania Avenue, N.W.

THE ZONING COMMISSION OF THE DISTRICT OF  
COLUMBIA WILL HOLD A PUBLIC HEARING IN SUITE  
2208, ONE JUDICIARY SQUARE, 441 4TH STREET,  
N.W. ON FRIDAY AT 4:30 PM TO  
CONSIDER A PROPOSAL FOR

THE ABOVE INFORMATION WAS OBTAINED FROM THE FILES OF THE  
FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE  
WASHINGTON, D.C. 20535  
DATE: 10-1-77 BY: SP-1 J. J. [REDACTED]  
RE: [REDACTED] AND [REDACTED]

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