Law Offices
HOLLAND & KNIGHT LLP

2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037-3202

202-955-3000
FAX 202-955-5564
www.hklaw.com

Atlanta
Boston
Bradenton
Chicago
Fort Lauderdale
Jacksonville
Lakeland
Melbourne
Mexico City
Miami
New York
Northern Virginia
Orlando
Providence
San Francisco
St. Petersburg
Tallahassee
Tampa
Washington, D.C.
West Palm Beach
Representative Offices:
Buenos Aires
Tel Aviv

October 30, 2000

LINDSLEY WILLIAMS
202-828-1873

Internet Address:
LiWillia@hklaw.com

Mr. Alberto Bastida, AICP
Secretary
Zoning Commission of the District of Columbia
One Judiciary Square, Suite 200
441 Fourth Street, NW
Washington, D.C. 20001

Re: Petition to Zoning Commission to Initiate Case to Amend Zoning Map for Portions of Square 37 to Resolve Inconsistency between Principles of the Comprehensive Plan and Present Zoning, and with D.C. Code (Lots 810, 811, 831, 836, 837 and 855)

Dear Mr. Bastida:

Thank you for sending us a copy of your Office's determination, dated October 20, that the petition we filed October 10, is complete. (That petition, which we incorporate by reference herein, was filed on behalf of James Pedas individually and as trustee of a family trust; it was also filed with the knowledge of the three other private owners of land within Square 37 in the "West End" and the District of Columbia's Office of Property Management, which is responsible for the two lots owned by the District Government.)

Thank you, also, for speaking with me about this October 25. Essentially, in today's discussion, I noted that our petition suggested a range of zoning alternatives that included the mixed use Commercial Residential ("CR") zone district. The Notice of Filing summarizes some of the options we listed, but not this one.

You indicated that, as I know, the case has now been referred to the Office of Planning (OP). Over the next several months, OP should provide the Zoning Commission with its own sense of whether the case should be heard and the range of alternatives to be considered. Thus, the fact that the Notice of Filing does not specifically cite all alternative

ZONING COMMISSION
CASE No. 00-27M
EXHIBIT No. 13

ZONING COMMISSION
District of Columbia
CASE NO.00-27
EXHIBIT NO.13

zones for which we explicitly petitioned does not inherently limit the range of options that OP or the Commission itself can ultimately consider.

Accordingly, we are sending you this letter as a means to acknowledge our concern about the Notice of Filing but also our conclusion, which you stated you share, that the Notice itself does not establish or limit the scope of the review that the OP can carry out.

On our part, we will continue to urge OP to help explore a full range of zoning options for this area, including zoning under the CR classification.

Thank you.

HOLLAND & KNIGHT LLP

Lindsley Williams
Senior Advisor for Land Use,
Planning, and Zoning

cc: Director, Office of Planning (Andrew Altman)
Director, Office of Property Management (Timothy Dimond)
Commissioner Barbara Spillinger, Chairperson, Advisory Neighborhood Commission 2A
Commissioner Richard J. Price, Commissioner, Single Member District 2, ANC 2A
Chairperson, Foggy Bottom Citizen's Association (Michael Thomas and Ellie Becker, Vice Chairperson and Acting Chairperson, c/o West End Library)
President, West End Citizen's Association (Jack Batham)
General Partner, 1121 24th Street Limited Partnership (William W. Beckett, for Lot 831, Square 37)
Charles S. and Marianne C. Ahlgren (owners, Lot 810, Square 37 – 1115 24th Street, NW)
Michael S. Gluck (owner, Lot 811, Square 37 – 1117 24th Street, NW)
James Pedas, Circle Management, Inc.
William Durkin, Esq., Circle Management, Inc.

Government of the District of Columbia
OFFICE OF ZONING

October 20, 2000

Douglas J. Patton
Holland & Knight, LLP
2100 Pennsylvania Avenue, N.W.
Suite 400
Washington, D.C. 20037-3202

Re: Z.C. Case No. 00-27M (Petition for Zoning Map Amendment to Portions of Square 37, Lots 810, 811, 831, 836, 837 and 855)

Dear Mr. Patton:

The Office of Zoning has received and reviewed the application for the petition cited above, which requests:

> A Zoning Map Amendment for portions of Square 37, Lots 810, 811, 831, 836, 837 and 855, to resolve inconsistency between principles of the Comprehensive Plan and the Present Zoning, and with D.C. Code

The Office of Zoning has determined that your application is complete, that it meets the basic filing requirements. This application has therefore been accepted for processing.

The Office of Planning (OP) will further process this application prior to it being presented to the Zoning Commission. The initial consideration given to the application concerns whether the Commission should set the case down for a public hearing. The OP will make a recommendation on that issue to the Zoning Commission at one of its monthly meetings. The Zoning Commission generally meets on the second Monday of each month (with some exceptions) in the Office of Zoning Hearing Room, Suite 220, 441 4th Street, N.W., Washington, D.C. 20001.

Please contact this office no later than the Thursday before the second Monday of each month to determine the meeting at which the Commission will consider you filing. If you have any questions, please call the Office of Zoning on (202) 727-6311.

Sincerely,

Alberto P. Bastida, AICP
Secretary to the Zoning Commission
Office of Zoning

appnoticeGNF

441 4th Street, N.W., Suite 210-S, Washington, D.C. 20001
Tel: (202) 727-6311 • Fax: (202) 727-6072
E-Mail: **zoning info@dcoz.dcgov.org** • Web Site: **http://dcoz.dcgov.org/**

ZONING COMMISSION NOTICE OF FILING
Case No. 00-27M
(Petition for Zoning Map Amendment to Portions of Square 37, Lots 810, 811, 831, 836, 837 and 855)
October 13, 2000

On October 10, 2000, the Office of Zoning received a petition from the law firms of Holland & Knight, LLP on behalf of James Pedas, requesting a Zoning Map Amendment of portions of Square 37 (Lots 810, 811, 831, 836, 837 and 855).

The properties are located in the southern portion of Square 37, which is bound by 23rd, 24th, L and M Streets, N.W. The six subject lots in particular are bound to the north by an unnamed east-west public alley that runs through the middle of the Square. Lots 836 and 837 are owned by the District of Columbia, whereas the other lots are privately owned. The lots owned by the District of Columbia are commonly thought to be "Unzoned", according to 11 DCMR § 106.4. The other four lots are zoned R-5-B.

ANC 2A

The petition requests the Zoning Commission to amend the Zoning Map to change the "Unzoned" District-owned lots and the R-5-B zoned lots to a zone more appropriate to the surrounding zoning and more consistent to the Principles of the Comprehensive Plan. The surrounding zones include C-2-C, R-5-E, R-5-D and R-5-B.

The C-2-C District permits matter-of-right development for major retail and office uses to a maximum height of ninety (90) feet, a maximum floor area ratio (FAR) of 6.0 for residential and 2.0 for other permitted uses, and a maximum lot occupancy of eighty (80) percent.

The R-5-E District permits matter-of-right high density development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum lot occupancy of 75%, a maximum FAR of 6.0 for apartment houses and hotels, and 5.0 for other structures, and a maximum height of ninety (90) feet.

The R-5-D District permits matter-of-right medium/high density development of general residential uses, including single-family

dwellings, flats, and apartment buildings, to a maximum lot occupancy of 75%, a maximum FAR of 3.5 and a maximum height of ninety (90) feet.

The R-5-B District permits matter-of-right moderate development of general residential uses, including single-family dwellings, flats, and apartment buildings, to a maximum lot occupancy of 60%, a maximum FAR of 1.8, and a maximum height of fifty (50) feet.

For additional information, please contact, the Secretary to the Zoning Commission at (202) 727-6311.

Nof00-18T/GNF