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June 17, 2004

VIA HAND DELIVERY

ZONING COMMISSION
District of Columbia
CASE NO. 00-27
EXHIBIT NO. 97

Zoning Commission of the District of Columbia
One Judiciary Square, Suite 210-South
441 Fourth Street, NW
Washington, D.C. 20001

Re: ZC Case 00-27: Supplemental Submissions from Architect Eric Colbert on Behalf of Petitioner

Dear Honorable Members of the Commission:

This letter provides the materials you authorized during the course of the hearing June 10 on ZC Case 00-27. Instead of allowing our client's architect, Eric Colbert, to testify, you requested that we submit written materials or diagrams addressing architectural elements of the petitioner's lot within the portion of Square 37 being considered for rezoning.

Enclosed please find three documents:

- Features of Potential Residential Development
- Gibson South Elevation (across a public alley from the petitioner's lot) on which are superimposed
  - the zoning "envelope" for residential development with present R-5-B zoning (which could be directly opposite south-facing windows of that apartment building from 7 of its 10 floors under present zoning, and restrict views from the 8th floor as well, a total of 15 of the overall 79 apartments in the building)
  - the zoning envelope for residential development that would be allowed for R-5-E (as well as R-5-D) zoning, both of which allow development to a height of 90 feet
- A Section through Square 37 from north-to-south at the mid-point of the depth of the petitioner's lot, which is 122 feet deep showing the present R-5-B zoning envelope, which allows buildings to be 50 feet high. This section also shows the limits of a matter-of-right mechanical penthouse, which can rise an additional 18' 6" if it is set back from the edge of the building by an amount equal to or more than its actual height. Together,

ZONING COMMISSION
District of Columbia
CASE NO.00-27
EXHIBIT NO.97

these elements form an "envelope." This envelope establishes that views to the row of town houses on the south side of L Street or south to or past Washington Circle that may now be visible from some end units or some vantage points from the roof deck of the Gibson are views that are not guaranteed by even present zoning.

You also asked that the Office of Planning provide you any comments it had in light of these supplemental materials. Accordingly, we are providing a copy to them.

If you have any questions, please contact either myself of my colleague Lindsley Williams. I can be reached at (202) 828-1893 and he can be reached at (202) 828-1873. Thank you.

Sincerely yours,

HOLLAND & KNIGHT LLP

Douglas J. Patton

Enclosures: As Stated

cc: Office of Planning

2027646_v1

Square 37 Apartment Building

June 16, 2004

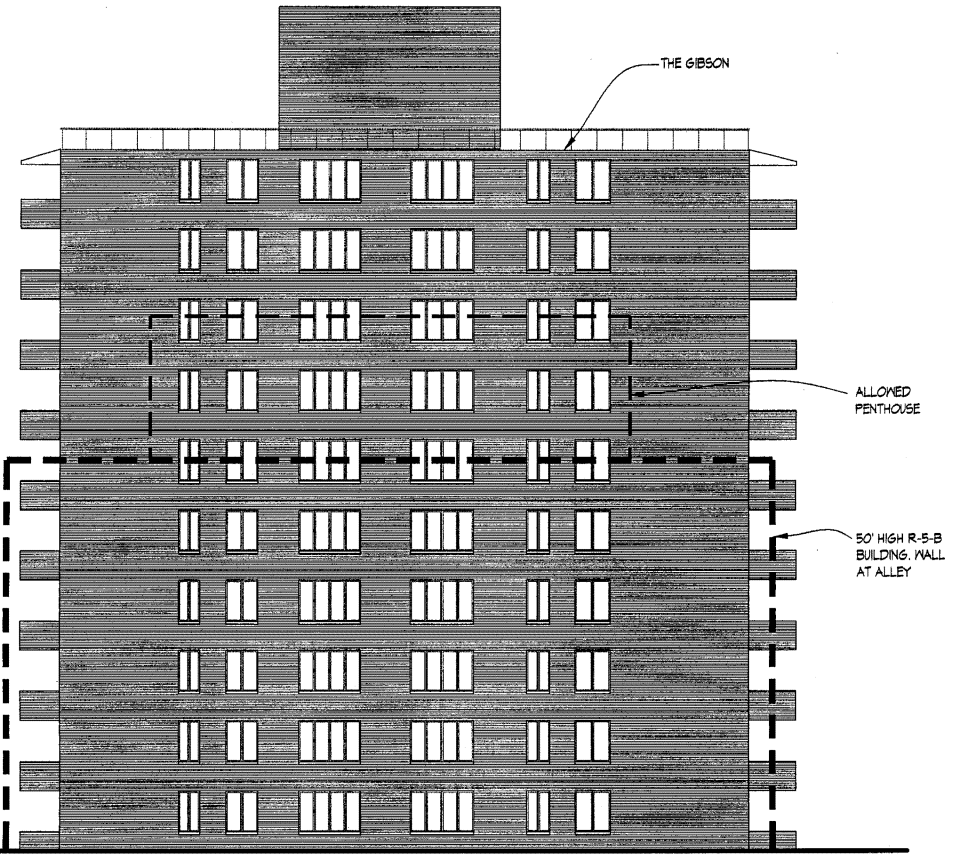
FEATURES OF A POTENTIAL RESIDENTIAL DEVELOPMENT:	INDEX
1. "ENGLISH BASEMENT" MAY BE USED AS A REFERENCE TO HISTORIC APARTMENT BUILDINGS, AND TO ACCOMODATE ANOTHER FLOOR.	A-1 COVER SHEET
2. THE PROPOSED NEW ZONES ALLOW A BUILDING THAT IS 90' HIGH, CONSIDERABLY SHORTER THAN THE 110' HIGH BUILDING ACROSS THE STREET AND ON SURROUNDING BLOCKS.	A-2 GIBSON SOUTH ELEVATION
3. BAYS IN PUBLIC SPACE HELP TO REINFORCE HISTORICAL REFERENCES, AND MAY BE USED IN THIS DEVELOPMENT.	A-3 NORTH/SOUTH BLOCK ELEVATION
4. WITH MORE THAN 50 APARTMENTS, ONE LOADING BAY IS REQUIRED.	
5. ALL DESIGNS WILL COMPLY WITH THE AMERICAN WITH DISABILITIES ACT AND FAIR HOUSING.	
6. PENTHOUSES WILL BE SET BACK AS REQUIRED BY THE ZONING REGULATIONS. THE PENTHOUSE MUST BE SET BACK SO THAT IT IS NO CLOSER TO THE EDGE OF THE MAIN ROOF THAN ITS HEIGHT ABOVE THE MAIN ROOF.	
7. PERMITTED F.A.R. IN THE R-5-E ZONE = 6.0	
8. MAXIMUM LOT OCCUPANCY FOR A NEW DEVELOPMENT (R-5-E) = 75%	
9. MOST DEVELOPERS WOULD STRIVE TO ACHIEVE A 1:1 PARKING TO APARTMENT RATIO OR BETTER.	
10. ASSUME AN AVERAGE UNIT SIZE OF ONE UNIT PER 1000 SQ. FT (GROSS).	

PROJECT: SQUARE 37 APARTMENT BLDG

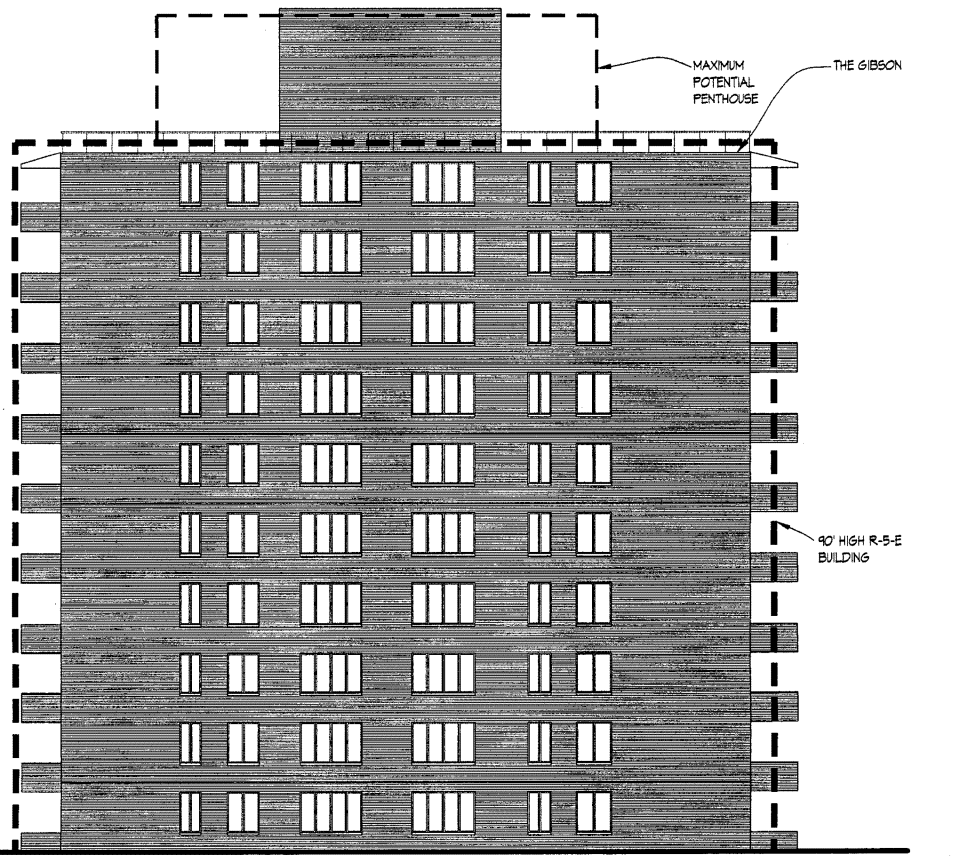
DEVELOPER: CIRCLE MANAGEMENT

ARCHITECT: ERIC COLBERT & ASSOCIATES

717 5TH STREET, N.W. WASHINGTON, D.C. 20001



ELEVATION OF THE GIBSON WITH A, R-5-B BUILDING TO THE SOUTH.



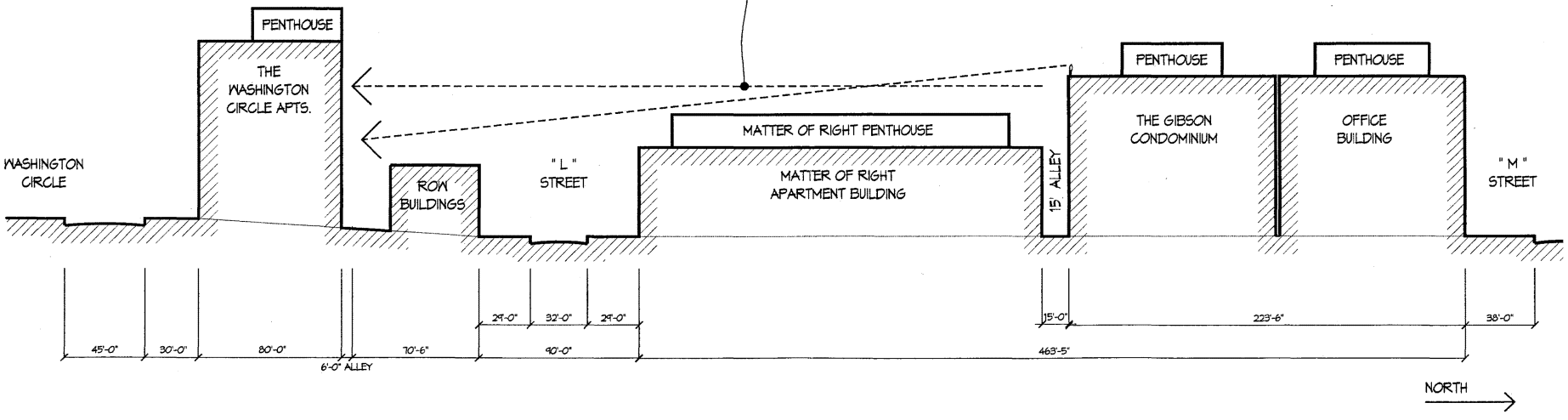
ELEVATION OF THE GIBSON WITH A, R-5-E BUILDING TO THE SOUTH.

(COMPARISON OF AN R-5-E BUILDING TO A R-5-B BUILDING)

GIBSON SOUTH ELEVATION

PROJECT: SQUARE 37 APARTMENT BLDG 23rd STREET, N.W. WASHINGTON, D.C. 20038	SCALE: 1/16" = 1'-0"	REVISED FEASIBILITY DESIGN DESIGN SET	A-2
DEVELOPER: CIRCLE MANAGEMENT	ARCHITECT: ERIC COLBERT & ASSOCIATES 717 5TH STREET, N.W. WASHINGTON, D.C. 20001	JUNE 16, 2004	

THIS SCALE SECTION SHOWS THAT A MATTER OF RIGHT APARTMENT BUILDING ON THE SOUTH SIDE OF SQUARE 37 WOULD BLOCK THE VIEW FROM THE GIBSON. ONLY THE TOP FLOORS WOULD BE ABLE TO SEE THE TOP OF THE WASHINGTON CIRCLE APARTMENTS. NO APARTMENTS WOULD BE ABLE TO SEE THE ROW BUILDINGS ON THE SOUTH SIDE OF "L" STREET. A PERSON STANDING ON THE ROOF DECK, WOULD NOT SEE THESE TOWNHOUSES EITHER.



1 NORTH / SOUTH BLOCK SECTION
SCALE: NTS