Law Offices
HOLLAND & KNIGHT LLP

2099 Pennsylvania Avenue, N.W.
Suite 100
Washington, D.C. 20006-6801

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

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November 26, 2003

WHAYNE S. QUIN
202-663-7274
whayne.quin@hklaw.com

2003 NOV 26 AM 11:32
D.C. ZONING COMMISSION

VIA HAND DELIVERY

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

Re: Zoning Commission Cases 03-12 and 03-13
Capper/Carrollsburg Preliminary PUD

Dear Members of the Commission:

Oh behalf of the Applicants in the above-referenced case, we hereby oppose the request of Advisory Neighborhood Commission ("ANC") 6D to postpone a decision in this matter beyond the Commission's scheduled meeting date of December 8, 2003.

The ANC has had ample notice of the revised post-hearing submission schedule. By letter dated October 22, 2003, the ANC was advised that the submission deadlines were being continued and knew at that time whether its own meeting schedule could accommodate a timely response. A copy of that letter is attached. The ANC was free to schedule a meeting or have a consultation among its commissioners to respond to the Applicants' November 17th submission. Thus, there is no legitimate reason to delay consideration of this matter based on the ANC's meeting schedule.

We therefore urge the Commission to deliberate on this matter at its December 8 meeting, as already scheduled, and deny the ANC's request for additional time.

Respectfully submitted,

Whayne S. Quin

cc: Andrew Altman and Ellen McCarthy, D.C. Office of Planning (by fax)
ANC 6D (by fax)
ANC 6B (by fax)

ZONING COMMISSION
District of Columbia
Case 03-12
Exhibit 79

1384849_v1

ZONING COMMISSION
District of Columbia
CASE NO.03-12
EXHIBIT NO.79

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Washington, D.C. 20006-6801

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FAX 202-955-5564
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*Holland & Knight LLC
**Representative Office

WHAYNE S. QUIN
202-663-7274
Internet Address:
whayne.quin@hklaw.com

October 22, 2003

VIA HAND DELIVERY

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

RECEIVED
D.C. OFFICE OF ZONING
2003 OCT 22 PM 4:26

Re: Zoning Commission Cases 03-12 and 03-13
Capper/Carrollsburg Consolidated and Preliminary PUDs

Dear Members of the Commission:

At its public meeting held on September 8, 2003, following discussion of the above-referenced applications, the Zoning Commission reopened the record to allow the Applicants to address the Commission's issues and questions. The Applicants were requested to file their additional material three weeks before the November meeting, which deadline is today based upon the current date for that meeting.

The Applicants have been working with various agencies and departments to address the Commission's issues. The Applicants require additional time to have a complete and thorough response to the Commission. Accordingly, the Applicants request that the Commission defer action on the two PUDs until the Commission's December meeting, currently scheduled for December 8, 2003. The Applicants will file their material three weeks prior to the meeting, that is, by November 17, 2003, and will serve that material on the two participating ANCs and OP. The ANC's and OP will have two weeks to respond, that is, until December 1, 2003.

We appreciate the Commission's consideration in this matter.

Sincerely,

Whayne S. Quin

Whayne S. Quin

cc: Andrew Altman and Ellen McCarthy, D.C. Office of Planning (by fax)
ANC 6D (by fax)
ANC 6B (by fax)