ShawPittman LLP

A Limited Liability Partnership Including Professional Corporations

October 14, 2004

By E- Mail

Carol Mitten
Chairperson, D.C. Zoning Commission
441 4th Street, N.W.
Second Floor
Washington, DC 20001

Re: Zoning Commission Case No. 03-27 –
4600 – 4614 Wisconsin Avenue, N.W.
4600 Brandywine Associates, LLC (the "Applicant")

Dear Chairperson Mitten and Members of the Commission:

On behalf of the Applicant, as noted in our September 30, 2004 submission, the Applicant has been negotiating a Development and Construction Management Agreement with its immediate residential and commercial neighbors. As part of the planned unit development (PUD) application, the Applicant has agreed to enter into a draft Development and Construction Management Agreement similar in form to the attached Exhibit A.

In addition, attached as Exhibit B, are additional terms to be included in the Development and Construction Management Agreement. The Applicant will be requesting that the Zoning Commission include compliance with these additional terms and entering into a final Agreement similar in form to Exhibit A as part of the conditions of approval of the PUD application.

We look forward to presenting this application to the Zoning Commission on October 14, 2004.

Sincerely,

John Epting

Paul Tummonds

Enclosures

ZONING COMMISSION
District of Columbia
CASE NO.03-27
EXHIBIT NO.37

Certificate of Service

It is hereby certified that a true copy of the foregoing Letter was served on the following individuals and organizations by hand this 14th day of October 2004:

Bruce F. Lowery
4117 Brandywine Street, NW
Washington, DC 20016

Advisory Neighborhood Commission 3E
c/o Chapman Todd, ANC 3E03
4455 Harrison Street, NW
Washington, DC 20015

Advisory Neighborhood Commission 3F
c/o Cathy Wiss, ANC 3F06
3810 Albemarle Street, NW
Washington, DC 20016

John T. Epting

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