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February 23, 2005

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D.C. OFFICE OF ZONING
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DC Zoning Commission
441 4th Street, NW
Suite 210
Washington, DC 20001

RE: ZONING COMMISSION CASE NO. 04-02-CAPITOL GATEWAY II AND 1333 M STREET, SE

Dear Commissioners:

The purpose of this correspondence is to request that you expedite the additional public hearing, which the Commission has decided is necessary for the above-referenced case.

As you recall, we filed a request to re-zone 1333 M Street, SE from M to R-5-B (ZC Case 03-22) in July 2003. The Office of Planning (OP) recommended, and the Commission concurred, that the request be considered within the context of a broader overlay for the immediate area. Our plans were (and continue to be) to build approximately 26 luxury townhomes on the subject property. We agreed to put our re-zoning request on hold and pledged to work with the OP and the Commission in the development and processing of the Overlay zone. In fact, we testified in support of the OP recommendation at the first public hearing on June 17, 2004.

Commissioners, we continue to support the concept of the Overlay, but are faced with a critical timing problem with respect to development on the site. Our contract with our development partner, NV Homes, a national home builder, expires soon. This will be NV Homes first multi-family project in the District. Therefore, we are asking your assistance with rendering a decision as soon as possible so that we can move forward with development plans. The interest in residential development on 1333 M is high. I receive inquiries regarding price and delivery date regularly on my web site.

In the alternative, we would like to request that the application to re-zone the property to R-5-B be place in the active status, if for some reason the Commission decides to postpone further or cancel ZC Case 04-02.

I am available to appear before you if necessary. Thanks for your consideration.

Kind regards,

Fred Greene

ZONING COMMISSION
District of Columbia
CASE NO. 04-02
EXHIBIT NO. 23

ZONING COMMISSION
District of Columbia
CASE NO.04-02
EXHIBIT NO.23