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February 4, 2005

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Hand Delivery

Zoning Commission of the District of Columbia
441 4th Street, NW
Suite 210
Washington, DC 20001

Re Zoning Commission Case No 04-11
Application of Rocky Gorge at Fort Totten, LLC

Dear Members of the Commission

Following to the November 22, 2004 public hearing on the above-referenced PUD application, the Applicant and members of Advisory Neighborhood Commission 5A, Concerned Citizens of North Michigan Park, Friends of North Michigan Park Civic Association, Inc. and the Department of Transportation held a meeting on December 6, 2004 to discuss the public benefits proposed as part of the application The enclosed letter (original and 20 copies included), dated January 13, identifies the consensus reached at the December 6 meeting, including the numerous community projects and programs identified to benefit from the enhanced community benefits package.

With this letter of agreement and based on discussions with the community, the Applicant believes the Commission's directions regarding post-hearing submissions have been fulfilled The Applicant looks forward to the Commission's consideration of the application at its February 24 public meeting. Please do not hesitate to contact me with any questions.

ZONING COMMISSION
District of Columbia
CASE NO 04-11
EXHIBIT NO 49

Sincerely,

Dennis R. Hughes

Enclosure

cc. Joseph Bowser, ANC 5A04
Levin Lee, ANC 5A03
Norma Broadnax
Kessela Brown, on behalf of Concerned Citizens of North Michigan Park
John Anderson

ZONING COMMISSION
District of Columbia
CASE NO.04-11
EXHIBIT NO.49

University of the District of Columbia
David A. Clarke School of Law
Community Development Law Clinic
and Small Business Law Center
4200 Connecticut Avenue, NW
Washington, D.C 20008
Phone (202) 274-5122

January 13, 2004

John Anderson, Principle
Rocky Gorge at Fort Totten L L C
Suite A320
7900 Westpark Drive
McLean, VA 22102

Re. December 6, 2004 Compromise Amenities Package Meeting for Case No 04-11 (PUD and Related Map Amendment @ Square 3788, Part of Lot 811- 611 Emerson Street, NE)

Dear Mr. Anderson,

As you know, on December 6, 2004 at the Ward 5 Advisory Neighborhood Commissioner's office, a meeting was held with the following persons being in attendance·

1. Norma Broadnax, ANC 5A03
2. Joseph Bowser, ANC 5A04
3 Levin Lee, ANC 5A03 (elect)
4. Gwendolyn Jackson, President of Friends of North Michigan Park Civic Association, Inc.
5 Juanita Cooke, Agent for Concerned Citizens of North Michigan Park
6 Kessela Brown, Student Advocate from University of the District of Columbia David A. Clarke School of Law
7 Dennis Hughes, Attorney from Holland and Knight, LLC
8 John Anderson, Principle of Rocky Gorge
9 Charlene Reed, Department of Transportation Ward 5 coordinator

Collectively, we decided that the interested parties would support the following amenities package from Rocky Gorge·

As the neighborhood's nonprofit organization, The Friends of North Michigan Park Civic Association will manage the funds donated from Rocky Gorge, earmarked to support the following Ward 5 activities for the benefit of North Michigan Park·

1. Backus Fund
2. Summer Job program
3 Family Day event
4. Mother's Day event
5. Father's Day event
6 Ward 5 Constituent Fund
7 North Michigan Park Awards Dinner
8 Beautification fund (to address landscaping issues and maintenance)
9 Assistance to Elderly (small repairs, snow shoveling, grass cuts, etc --this also would provide work for the summer job program)
10. Scholarship fund for college students
11. Back to school fund (provide notebooks, backpacks, lunchboxes etc)

Rocky Gorge has agreed to provide $25,000 no later than 90 days after the issuance of the final order from the Zoning Commission, which is anticipated to be issued in the Summer of 2005. After issuance of the PUD building permits (approximately 6 months later), the developer has agreed to provide $1,000 per unit, totaling a sum of $75,000 Additionally, over the next 4 years, beginning Jan 2007, the developer has agreed to provide $5,000 payable in January 1st of each year, for the following consecutive 4 years to continue to fund the above-mentioned programs.

These funds are in addition to

1. Two (2) affordable housing units marketed at 85% of the Washington Area Median Income these units are to remain "affordable" for a period of 20 years
2. $15, 000 contribution to the Lamond-Riggs Library
3 $15,000 contribution to North Michigan Park Civic Association for the North Michigan Park Recreation Center
4. $12, 000 contribution to the North Michigan Park Civic Association for "Welcome to North Michigan Park" signs

The above-mentioned interested parties find this package satisfies concerns raised at the November 22, 2004 hearing and with this agreement these organizations and community leaders offer their support for the Rocky Gorge PUD application We would like to thank you for the time and effort that has been set aside to address the community concerns.

Thank you,

Kessela Brown, Student Counsel

Gwendolyn V. Jackson
Friends of North Michigan Park Civic Association, Inc

Juanita Brooke
Concerned Citizens of North Michigan Park

Joseph L. Brown 5A04, Ann Lee
ANC Commissoners Ward 5

Eugene Kinash
Rocky Gorge at Fort Totten, LLC
Sr. V.P. - CFO