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May 15, 2008

**VIA HAND DELIVERY**  
Zoning Commission for the  
District of Columbia  
441 4th Street, N.W., Suite 210S  
Washington, D.C. 20001

ZONING COMMISSION  
District of Columbia  
CASE NO. 04-14  
EXHIBIT NO. 102

RECEIVED  
D.C. OFFICE OF ZONING  
2008 MAY 16 PM 3:34

Re: **Revised Condition No. 8 for Proposed Order – ZC Case No. 04-14**  
100 Block of Potomac Avenue, SE – Florida Rock Properties, Inc.

Dear Members of the Commission:

On behalf of Florida Rock Properties, Inc., the Applicant in the above-referenced case, this letter requests that the Zoning Commission reopen the record for the sole purpose of considering a modified condition for the proposed order, submitted to the Commission on May 1, 2008. As a result of discussions following the May 1<sup>st</sup> submittal with the Office of the Deputy Mayor for Planning and Economic Development, the Applicant proposes the following modified language for the proposed Condition No. 8 addressing the \$800,000 contribution for Diamond Teague Park:

8. The Applicant shall make a payment in the total amount of \$800,000 to the District for construction, installation and/or on-going maintenance of the adjacent Diamond Teague Park. The Applicant's contribution shall be made in one payment to the District no later than 60 days after the date this Order is published in the *D.C. Register*, or at a later date as determined by the Deputy Mayor for Planning and Economic Development, or his designee.

It became clear from the subsequent discussions between the Applicant and the Office of the Deputy Mayor for Planning and Economic Development regarding that Office's schedule for commencement of development of Park later this summer, that the

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offered funds would be needed sooner than was originally proposed by the Applicant. Considering this earlier development schedule, the Applicant has agreed to an earlier payment of the offered funds. The proposed substitute condition was developed with that Office and the Office of Attorney General; we understand both Offices support and have approved the text of this new language for Condition No. 8 of the Applicant's proposed order.

We appreciate the Zoning Commission's consideration of this request and look forward to the Commission's consideration of this application for final action at its special public meeting scheduled for May 22, 2008.

Should the Commission have any questions or need additional information, please do not hesitate to have Office of Zoning staff contact us.

Very truly yours,



David W. Briggs

Christine Moseley Shiker

cc:	Judi Greenberg, Office of the DMPED	(Via E-Mail)
	Alan Bergstein, Office of Attorney General	(Via E-Mail)
	Joel Lawson, Office of Planning	(Via E-Mail)
	Advisory Neighborhood Commission 6D	(Via E-Mail and Hand)