

March 12, 2008

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ZONING COMMISSION
District of Columbia

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

CASE NO. 07-26
EXHIBIT NO. 41

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Re: O Street Market, Zoning Commission Case No. 07-26

Dear Members of the Commission:

On Monday, March 10th, through the Office of Planning, we received a copy of the report of the District Department of Transportation in the above-referenced case, dated March 5th, 2008. On behalf of the Applicant, we are pleased that DDOT supports the overall project and we agree to coordinate with DDOT providing a TDM as outlined below that will encourage alternative modes of travel and promotes walking, cycling and car-sharing.

1. TDM Parameters

In the parking garage, we will reserve a minimum of bicycle parking spaces totaling at least 5% of the garage spaces and will reserve two parking spaces in the retail parking per Roadside's lease with Giant for a car-sharing service subject to required District approvals. The Applicant will provide complimentary "smart trip" cards with \$20 Metro fare per residential unit for the initial move-ins. The Applicant also agrees to provide website hot links to godcgo.com and commuterconnections.com. The hotel operator will be requested to promote transit use on its website and distribute transportation information and brochures at its Reception Desk.

We believe the foregoing is responsive to the TDM request.

2. There are two areas where the Applicant believes that its parking and access plan should be approved as submitted, except as referenced herein.

a. Number of Parking Spaces.

The Applicant appreciates DDOT's comments on the number of parking spaces to be provided and in response to DDOT's request is amenable to reducing the number of parking spaces for retail grocery store by 10%, a reduction of 25 spaces. The Applicant does not agree, and is not amendable, to reducing the number of residential parking spaces to 170 for 600 residential units. The provision of this level of parking would be way below market and inconsistent with the Applicant's understanding with the community on parking. The importance of adequate parking for the project was highlighted in the Applicant's testimony at the March 6th public hearing.

The Applicant has worked diligently with the community to arrive at a parking and loading scenario which best meets the needs of its neighbors. Reducing the parking as suggested by DDOT would lead to a significantly under-parked project with major ramifications to the community. Furthermore, Giant would not accept a parking allocation of 91 spaces when its agreement with the Applicant requires over 210 spaces to be provided.

As was also testified to at the hearing, Giant has a long-term lease on the property with over 40 years to run and its cooperation is essential for this project to move forward.

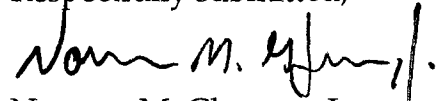
b. Former 8th Street Right-of-Way.

DDOT raises a new issue with respect to the former 8th Street right-of-way. At the outset, it is critical to note that the former 8th Street right-of-way is within the "protected area" in the Giant lease. That is because even though the new Giant store will be relocated to the east end of the site, it is still the former right-of-way area that provides the access from the enclosed grade level parking to the Giant store. Giant has not agreed, nor has the Applicant ever suggested or agreed, that the "Applicant proposes to retain it (the area of the former 8th Street right-of-way) by means of a private street with a public easement." We do not know where the information came from that would lead to that statement, but the former right-of-way is, and would remain, private property and subject to the Giant lease.

The Applicant is restoring the vista and, as shown on the plans submitted to the Zoning Commission, will be improving the area with plantings, street trees and other improvements.

Once again, the Applicant is pleased that DDOT supports the overall project and the Applicant agrees to a TDM plan as set forth herein.

Respectfully submitted,


Norman M. Glasgow, Jr.


Mary Carolyn Brown