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January 21, 2010

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

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Re: **Consolidated PUD and Zoning Map Amendment Application
Case No. 09-03 - Materials Requested at Zoning Commission
Public Hearing on December 10, 2009**

Dear Chairperson Hood and Members of the Zoning Commission:

Skyland Holdings, LLC (the “**Applicant**”) hereby responds to the requests for information made by the Zoning Commission during the December 10, 2009 public hearing in the above-mentioned case.

Visual Impact of the Project on Adjacent Property Owners

The Applicant and its design team have engaged in an exhaustive analysis of the building on Block 1 and its potential visual impact on adjacent property owners. As a result of this analysis, the Applicant has agreed to make the following revisions to the building on Block 1:

- The building on Block 1 will be pulled back from the property line adjacent to Ft. Baker Drive by an additional 37 feet (for a total distance of 72 feet, as measured from the property line to the eastern face of the building on Block 1), which will allow for the elimination of the retaining wall system that was previously proposed for this area, the maintenance of a larger portion of the existing slope, and the creation of a new “Tree Preservation Area” with a total area of approximately 58,000 square feet. See the attached Exhibit A (plans and elevations depicting the proposed revisions to Block 1, the changes to the areas of disturbance, and the tree preservation area), Exhibit B (panorama photos, and photomontages of the appearance of Block 1 from Ft.

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COMMISSION

EXHIBIT NO. 62
ON CASE NO. 09-03

Baker Drive), and Exhibit C (a section from Ft. Baker Drive to the building on Block 1).

- Additional landscaping and an enlarged landscaped buffer area will help diminish the appearance of the building on Block 1. A continuous green screen will be provided along the eastern elevation of the building on Block 1. See Exhibit A.
- The ramp to the parking spaces on the roof of the building on Block 1 is now completely internalized, limiting the noise from vehicles accessing the roof parking level. A total of 650 parking spaces are provided, 220 spaces in the lower level garage and 430 spaces on the roof level. See Exhibit A.
- The reconfiguration of the building in Block 1 results in the removal of approximately 10,000 square feet of in-line retail space along Naylor Road. See Exhibit A.
- Attached as Exhibit D are revised calculations of the theoretical lot analysis including the retaining walls in Block 1, adjacent to 28th Street, SE, in the calculation of lot occupancy, side, and rear yard.

Environmental Issues

Lynn Straughan, of Wetland Studies and Solutions, Inc. (WSSI), conducted an existing vegetation evaluation of the Skyland property on October 1, 2009. Attached to this letter, as Exhibit E, is a copy of the Existing Vegetation Map that was prepared as a result of that evaluation. The WSSI study found three forest cover types on the Skyland property and concluded that the overall health of each type of forest cover was poor, due to the high amount of woody debris, dead standing trees and vines, dense English ivy covering the trees, and the presence of fill material. The WSSI study concluded:

Based on the composition of the forest community, including the presence of noxious and/or invasive species, and the amount of fill material within the substrate, no noteworthy vegetative community is present that would restrict the removal of vegetation on this site subject to the requirements of the District of Columbia Code and related municipal regulations.

Ms. Straughan and WSSI are currently preparing a field delineation of the jurisdictional wetlands and WOUS boundaries within the site and a tree survey identifying all "Special Trees", as defined by the Urban Forest Preservation Act of

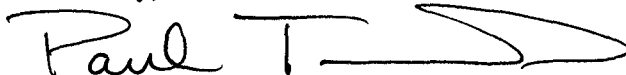
2002. The results of these reports will be presented to the Zoning Commission at the February 4, 2010 public hearing. Ms. Straughan is an arborist certified by the International Society of Arboriculture (ISA), an ecologist certified by the Ecological Society of America, a professional wetland scientist certified by the Society of Wetland Scientists (SWS), and a professional wetland delineator certified by the Virginia Department of Professional and Occupational Regulation (VDPOR) Board of Professional Soil Scientists and Wetland Delineators. A copy of Ms. Straughan's resume is also included in the attached Exhibit E. The Applicant requests that Ms. Straughan be accepted as an expert witness.

Response to Fire and Emergency Medical Services Department (FEMSD)

On January 11, 2010, the Applicant responded to the issues raised by FEMSD in their November 1, 2009 memorandum. A copy of that response is attached to this document, as Exhibit F.

The Applicant believes that it would be beneficial to the Zoning Commissioners, OP and DDOT representatives, and members of the public if it was allowed 10 minutes of testimony at the beginning of the public hearing to present this information. The Applicant looks forward to addressing any questions or comments from the Zoning Commission at the February 4, 2010 public hearing.

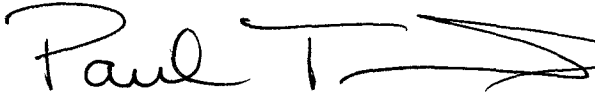
Sincerely,


Paul Tummonds

Enclosures

Certificate of Service

I certify that on January 21, 2010, a copy of the foregoing document and enclosures was hand-delivered, sent via Federal Express, or mailed to the addressees listed below.


Paul Tummonds

Ft. Baker Drive Residents
c/o Martin Sullivan, Esq.
25830 Collins Avenue
Chestertown, MD 21620 (VIA FEDERAL EXPRESS)

ANC 7B
c/o Yvonne Moore, Chairperson ANC 7B
3200 S Street, SE
Washington, DC 20020 (VIA HAND DELIVERY)

ANC 8B
P.O. Box 30949
Washington, DC 20030 (VIA STANDARD MAIL)

D.C. Office of Planning
c/o Maxine Brown-Roberts
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