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September 25, 2009

VIA HAND DELIVERY

Zoning Commission for the
District of Columbia
441 4th Street, N.W.
Suite 210-S
Washington, DC 20001

Re: **Zoning Commission Application No. 09-12 of George and Dimitri Mallios**
Prehearing Submission in Support of Application for a Zoning Map Amendment
(Square 180, Lot 30)

Dear Members of the Commission:

On behalf of George and Dimitri Mallios (the "Applicant"), and in compliance with section 3013.1(a) of the Zoning Regulations, we submit this letter prior to the hearing in the above-reference case in support of the proposed zoning map amendment from the D/DC/R-5-B District to the D/DC/C-2-B District for Lot 30 in Square 180 (the "Property"). This pre-hearing letter incorporates by reference, and supplements, the information provided to the Zoning Commission in the Statement of the Applicant dated July 15, 2009.

A. The Inability to Convert the Entire Building to Commercial Uses.

At its public meeting on September 14, 2009, where this matter for was set for a public hearing, the Commission asked whether the rezoning of the property would allow the Applicant to use the entire existing building for commercial purposes. As indicated by the Office of Planning, the proposed C-2-B zoning limits the maximum floor area ratio ("FAR") at the site to 3.5, of which only 1.5 FAR may be devoted to non-residential uses. Even if the current building were demolished, which would first have to be reviewed by the Historic Preservation Review Board ("HPRB") and approved by the Mayor's Agent for Historic Preservation, any new building will still be limited to no more than 1.5 FAR devoted to non-residential uses. A new building would also require HPRB review to ensure its compatibility with the design, height, massing and materials of the surrounding small-scale quality of the Dupont Circle Historic District.

ZONING COMMISSION
District of Columbia

CASE NO. 09-12

EXHIBIT NO. 13

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ZONING COMMISSION
District of Columbia
CASE NO. 09-12
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B. Compliance with Supplemental Filing Requirements of Section 3013.1

In compliance with section 3013.1 of the Commission's Rules of Practice and Procedure, the following information is attached this letter:

Exhibit A: List of Witnesses and Outlines of Testimony (§§ 3103.1(b) and (c))

Exhibit B: Names and Addresses of Owners of Property to be Rezoned (§ 3013.3)

Exhibit C: Names and Addresses of Property Owners within 200 Feet (§ 3013.6)

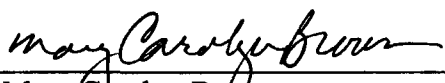
The Applicant estimates that it will require approximately 30 minutes to present its case to the Commission. *See* 11 DCMR § 3013.1(g). Pursuant to section 3013.7, the Applicant hereby certifies that it has complied with all the requirements of section 3013.

E. Conclusion

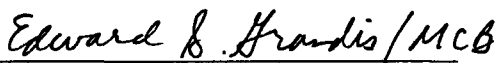
Because the requested map amendment is consistent with the Comprehensive Plan, the Property's designation on the Future Land Use Map, and the purposes of the Zoning Regulations and Zoning Map as set forth in D.C. Code § 6-641.02, the Applicant respectfully requests that the Commission approve the application.

Respectfully submitted,

HOLLAND & KNIGHT LLP

By: 
Mary Carolyn Brown

LAW OFFICES OF EDWARD S. GRANDIS, ESQ.

By: 
Edward S. Grandis

cc: Jennifer Steingasser, OP
Paul Goldstein, OP
Advisory Neighborhood Commission 2B