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goulston&storrs
counsellors at law

John T. Epting
Director
jepting@goulstonstorrs.com
202-721-1108 Tel
202-263-0508 Fax

Jeff C. Utz
Associate
jutz@goulstonstorrs.com
202-721-1132 Tel
202-263-0532 Fax

June 25, 2013

VIA HAND DELIVERY

Anthony Hood, Chairman
D.C. Zoning Commission
441 4th Street, NW, Suite 210
Washington, DC 20001

**Re: Zoning Commission Case No. 12-05A – Zoning Commission Design Review
and Special Exception and Variance Relief for Square 701, Lot 170 (the
“Property”) – Proposed Modification of Capitol Gateway (“CG”) Overlay
District Review – Twenty Day Pre-Hearing Filing**

Dear Chairman Hood and Members of the Zoning Commission:

On behalf of Ballpark Square LLC (the “**Applicant**”), the applicant in Zoning Commission Case No. 12-05A and co-developer of the Property, we hereby submit the twenty (20) day pre-hearing filing for the modification to Zoning Commission Order No. 12-05 (“**Order**”). The Order granted approved the design of a mixed-use development, containing separate components for office, hotel, and residential uses tied together through a ground floor retail pedestal (the “**Project**”).

ZONING COMMISSION
District of Columbia

CASE NO. *1205A*

On May 9, 2013, the Applicant requested a modification to the Project approved by the Order primarily to allow for the reorientation of the residential component, which results in changes to the residential building's appearance on First Street, S.E. and a modest increase in the number of units and gross rentable area, among other small changes.

Hotel Structure Flexibility

By this submission, the Applicant requests flexibility to slightly modify the hotel component of the Project by increasing the width of such structure by one (1) foot, if requested by certain hotel users. The flexibility is a product of the reconfiguration of the hotel floor plan which results in slightly longer rooms. Therefore, the Applicant requests that the Commission approve both a 59 foot wide hotel structure and a 60 foot wide hotel structure. Such increase to the width will have little effect on the design of the Project. The Applicant is submitting an updated set of plans as Exhibit A. Notes relating to the wider dimensions are included on the relevant pages of Exhibit A.

This flexibility request for an increase to the width of the hotel component by one (1) foot would be reflected in the following zoning measurements for the Project:

- **Gross Floor Area** – The hotel gross floor area would increase by approximately 1,166 gross square feet to approximately 127,142 gross square feet (up from the currently approved approximately 125,976 square feet of the hotel component currently approved by the Commission). This would increase the total Project gross floor area to approximately 696,791 gross square feet (up from the approximately 695,625 gross square feet proposed by the modification application).

- FAR – The FAR for the entirety of the Project would increase from 9.46 to 9.48 (and therefore, the Applicant requests approval to utilize 0.98 FAR beyond 8.5 FAR under Section 1602.1(e)).
- Court – Irregular Open Court C, shown on page A-05REV of Exhibit A would be slightly decreased to 35'-9" at its widest point (instead of 36'-9") and would have an area of 3,614 square feet (instead of 3,720 square feet). Such width and area measurements would still comply with the court requirements.

As part of the slight reconfiguration of the hotel component, the Applicant also requests flexibility to slightly vary the sizes of certain hotel windows, as noted in the plans. These windows will vary from 4'-0 to 4'-8" wide. Such reconfigurations also might require the installation of mechanical grills.

The office component, along with the ground retail elements of the hotel and office structures, and the two story retail structure on Lots 155 and 156 still remain unchanged in this modification from those approved by the Order.

Transportation Study

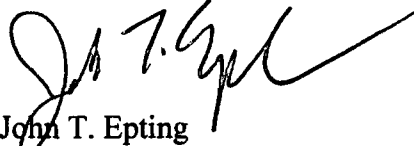
The Applicant is also submitting the updated Technical Memorandum from Gorove/Slade, dated June 25, 2013, as Exhibit B. This Memorandum concludes that the modification request will have no detrimental impact to the surrounding transportation network. It also confirms that the modified Project's access plan, with its primary use of Cushing Place, will be suitable.

Community Support

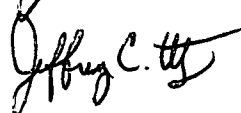
The Applicant would also like to note that it received ANC 6D's full support at its normal monthly meeting on June 10, 2013.

The Applicant looks forward to presenting its application to the Zoning Commission on July 15, 2013 and appreciates the Commission's review of this request. If you have any questions or comments regarding the proposed modification, please feel free to contact the undersigned.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John T. Epting", with a long, sweeping horizontal stroke extending to the right.

John T. Epting

A handwritten signature in black ink, appearing to read "Jeffrey C. Utz", with a stylized, cursive script.

Jeffrey C. Utz

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this letter and enclosures were hand-delivered to the following on June 25, 2013.

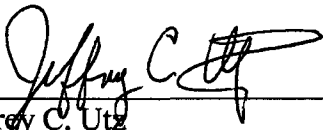
Matthew Jesick
Joel Lawson
Office of Planning
1100 4th Street, SW, Suite 650E
Washington, DC 20024

Jamie Henson
District Department of Transportation
55 M Street, SE, 5th Floor
Washington, DC 20003

ANC 6D (7 copies)
1101 4th Street, SW, Suite W130
Washington, DC 20024

Ed Kaminski – ANC 6D02
1025 1st Street SE
Washington, DC 20024

Andy Litsky – ANC 6D04
ANC6D, Chairman
429 N Street, SW
Washington, DC 20024



Jeffrey C. Utz