

January 22, 2015

VIA ELECTRONIC SUBMISSION

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

Re: **Zoning Commission Case No. 13-08 – Consolidated PUD and Zoning Map Amendment Application- Response to Request for Postponement Filed by Alabama Avenue/13th Street Tenants Coalition**

Dear Chairman Hood and Members of the Zoning Commission:

This letter responds to the request for postponement filed by the Alabama Avenue/13th Street Tenants Coalition (“**Coalition**”) filed on January 21, 2015. As discussed in detail below, none of the issues raised by the Coalition should prevent the Zoning Commission from holding the duly noticed public hearing on January 22, 2015.

Square 5914, LLC (the “**Applicant**”) is the contract purchaser of the property located at 3200 13th Street, SE, which was owned by 3200 Thirteenth Street, LLC at the time the application was filed and is still owned by 3200 13th Street, LLC. Enclosed please find signature pages for the PUD and Zoning Map Amendment applications that were executed by an authorized representative of 3200 Thirteenth Street, LLC at the time the application was filed, as well as signature pages executed by a current representative of 3200 Thirteenth Street, LLC. The Applicant has the authority and authorization to process this application.

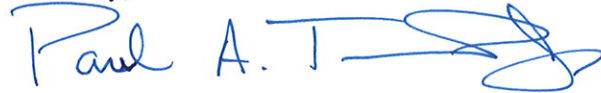
The Coalition also claims that the Zoning Commission should not move forward with this case because of various liens and title issues related to the 3200 13th Street, SE property. The Coalition claims that these liens and title issues should make the Zoning Commission postpone the public hearing because the “Zoning Administrator will be prevented from implementing any associated permit applications for this project”. These issues are not pertinent to the Zoning Commission’s review of whether the Consolidated PUD and Zoning Map Amendment applications satisfy the relevant requirements of 11 DCMR Section 2400 et seq. Moreover, these issues should not prevent the Zoning Commission from holding a hearing on this case on January 22, 2015.

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Finally, the Coalition claims there will be “terrible administrative inefficiencies and the unnecessary expenditure of time and City money in processing the instant PUD application, as any material changes to the currently cloudy state of site control, as well as to the unresolved issues about litigation, the over-riding land covenants, and outstanding liens, has the very real risk to make moot any decision of the Zoning Commission pertaining to this case”. The Applicant finds no merit to this statement. In the Applicant’s view, it is the postponement of this hearing that would result in “terrible administrative inefficiencies”. The Office of Planning, the Department of Transportation, the Department of the Environment, and ANC 8E have all reviewed this project and have submitted reports or taken a vote on this application in anticipation of the hearing occurring on January 22, 2015. This PUD and Map Amendment application is ready for a public hearing and the Coalition is free to raise these issues at the January 22, 2015 Public Hearing.

For the above-mentioned reasons, the Applicant requests that the request for postponement be denied.

Sincerely,

A handwritten signature in blue ink that reads "Paul A. Tummonds, Jr." with a stylized flourish at the end.

Paul A. Tummonds, Jr.

Enclosures

CERTIFICATE OF SERVICE

I hereby certify that I sent a copy of the foregoing document to the following addresses on January 22, 2015 by E-Mail:

Alabama Avenue/13th Street Tenants Coalition
c/o Will Merrifield

Washington Legal Clinic for the Homeless
1200 U Street, NW, Third Floor
Washington, DC 20009
(By E-Mail)

Maxine Brown-Roberts
Office of Planning
1100 4th Street, SW
Suite E650
Washington, DC 20024
(By E-Mail)

ANC 8E
1310 Southern Avenue, SE
Room 043
Washington, DC 20032
c/o Anthony Muhammad, Chair
(By E-Mail)

ANC 8C
3125 Martin Luther King Jr. Avenue SE
Washington, DC 20032
(By E-Mail)



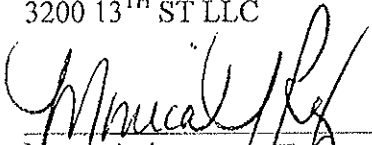
Paul Tummonds

APPLICATION FOR CONSOLIDATED
PUD APPROVAL

OWNER SIGNATURE PAGE

(Lot 0007)

3200 13TH ST LLC

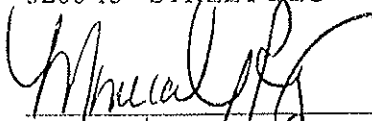

Name: *Monica F. Ray*
Title: *Representative*
Date: *5/6/2013*

**APPLICATION FOR ZONING MAP
AMENDMENT APPROVAL**

OWNER SIGNATURE PAGE

(Lot 0007)

3200 13th STREET LLC



Name: *Monica T. Ray*
Title: *Representative*
Date: *5/6/2013*

APPLICATION FOR CONSOLIDATED PUD APPROVAL

OWNER SIGNATURE PAGE

(Square 5914 Lot 7)

3200 THIRTEENTH STREET, LLC

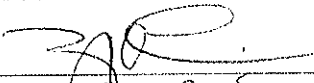

Name: Fred A. Smith
Title: MANAGING MEMBER
Date: 1/22/15

APPLICATION FOR ZONING MAP
AMENDMENT APPROVAL

OWNER SIGNATURE PAGE

(Square 5914 Lot 7)

3200 THIRTEENTH STREET, LLC


Name: Zeed A. Smith
Title: manager & member
Date: 1/22/15