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October 15, 1996

D. C. Office of Zoning
Zoning Commission for the District
of Columbia
441 4th Street, N. W., Suite 210
Washington, D. C. 20001

OFFICE OF ZONING
DISTRICT OF COLUMBIA
'96 OCT 17 A10:58

RE: Case No. 96-3/89-1
Buzzard Point - Capitol Gateway

Dear Sirs:

This follows my letter of August 28, 1996 as attorney for Super Salvage, Inc., which is now part of the public record. Please be advised that a staff person of my client and/or I wish and intend to testify at the public hearing scheduled for November 21, 1996.

Permit me to include herein by reference the second and third substantive points in my prior letter setting forth substantive legal flaws in subject map amendment. I might note, as to the FAR reduction, a constitutional issue arises as to taking property without right or adequate compensation; and there is little question that the value of my client's property (Lot 802, Square 605) would be significantly diminished by this FAR change.

An additional point needs to be raised, namely, that the plan continues in effect a regrettable long history of overlooking the need for industrial zoning and useage in the District, as both a tax-producer and a job creator; Section 1600.2(a) illustrates this oversight by its failure to even refer to industrial uses.

I would expect this letter to also be made a part of the public record in this case.

Yours truly,

Jacob C. Lish

JCL:fl
cc: Super S

ZONING COMMISSION
CASE No. 96-3/89-1
EXHIBIT No. 36

ZONING COMMISSION
District of Columbia
CASE NO.96-3
EXHIBIT NO.36