

# EXHIBIT D

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July 1, 2019

**BY ELECTRONIC MAIL**

Meridith H. Moldenhauer, Esq.  
Cozen O'Connor  
1200 19<sup>th</sup> Street, N.W.  
Third Floor  
Washington, D.C. 20036

Re: Proposed Chain Bridge Road Subdivision  
Square 1425, Lots 831 - 839 ("Property")

Dear Meridith:

This firm has been counsel for the Chain Bridge Road University Terrace Preservation Committee since 2005. The Preservation Committee is a neighborhood 501(c)(3) charitable organization dedicated to the protection and preservation of the unique and special arboreal, topographical and landscaping features in addition to the historic, residential and park-like character of the Chain Bridge Road/University Terrace neighborhood. The Preservation Committee was instrumental in the 1999 creation of the Chain Bridge Road//University Terrace Overlay District and remains committed to the enforcement of the overlay on behalf of the more than two hundred thirty-eight (238) households it represents.

The Preservation Committee is no stranger to this Property having successfully opposed BZA Application No. 17309 for a theoretical lot subdivision for thirteen (13) single-family dwellings. BZA Order No. 17309 (August 7, 2007), aff'd, *Dorchester Associates, LLC v. DC Board of Zoning Adjustment [Respondent] and Chain Bridge Road University Terrace Preservation Committee [Intervenor]*, 976 A.2d 200 (D.C. 2009).

The Preservation Committee has carefully reviewed the Zoning Determination Letter that was recently made public for the proposed subdivision of the Property into seven (7) Record Lots. The Preservation Committee does not agree with the Zoning Administrator's preliminary, non-binding and incomplete conclusions. Specifically, the proposed lot configurations are contrived and unprecedented to artificially meet the applicable street frontage and lot width requirements. The proposed creation of the long disfavored pipe stem lots does not meet the letter or spirit of the Zoning Regulations. Also, the proposed subdivision plan does not address any of the critical tree and slope provisions of the overlay or erosion, storm water management, or traffic issues that are particularly relevant to the Property.



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Although the Preservation Committee has never hesitated to exercise its enforcement options, there has always been a strong preference and willingness to work with developers to achieve mutually agreeable and better development proposals that can be broadly supported and successfully implemented. For this unique Property, the theoretical lot subdivision approval process offers the mechanism to establish a better, more valuable and desirable, and achievable development plan that realizes the reasonably desired density, faithfully upholds the requirements of the overlay, and minimizes the negative impacts on this unique portion of Chain Bridge Road.

At this point, the proposed subdivision appears to be hypothetical and has not been formally established. The Preservation Committee requests an update on the current status of this proposal, and, more importantly, would welcome the opportunity to engage the property owner in a meaningful discussion for the future development of the Property. At your convenience, please feel free to contact us on behalf of the Preservation Committee.

Sincerely,

GREENSTEIN DELORME & LUCHS, P.C.

John Patrick Brown, Jr.

Lyle M. Blanchard

cc: Preservation Committee  
Mr. Matthew LeGrant, Zoning Administrator