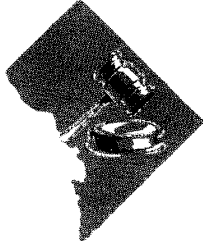


GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION



DISTRICT OF COLUMBIA ZONING COMMISSION
CHAIRPERSON'S OPENING & CLOSING REMARKS
PUBLIC HEARING

ZONING COMMISSION CASE NO. 01-07C
(PUD & AIR RIGHTS 1700-1730 K STREET N.W.)

THURSDAY, OCTOBER 11, 2001

7:00 P.M.

Good evening ladies and gentlemen. This is a Public Hearing of the Zoning Commission of the District of Columbia for Thursday October 11, 2001. My name is Carol J. Mitten. Joining me this evening are Vice Chairman Anthony J. Hood, and Commissioners John G. Parsons, Peter G. May, and James H. Hannaham.

Notice of today's hearing was published in the D.C. Register on August 24 and August 31, 2001, and in the Washington Times, on August 20, 2001. This hearing will be conducted in accordance with the provisions of 11 DCMR, section 3023.

The subject of this evening's hearing is Zoning Commission Case Number 01-07C. That is the request by Commerce Building Associates and Riddell Building

ZONING COMMISSION
District of Columbia

Case 01-07
ZONING COMMISSION
District of Columbia
Hearing 01-07
EXHIBIT NO.38

Associates for a consolidated review and approval of a Planned Unit Development (“PUD”) under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (July 1995, as amended) and related Air Rights under D.C. Official Code Section 10-1121.04(2001).

Copies of today’s hearing announcement are available to you and are located to my left, near the door.

The order of procedure will be as follows:

1. Preliminary Matters
2. Applicant’s Case
3. Report of the Office of Planning
4. Report of other agencies
5. Report of the Advisory Neighborhood Commission 8A
6. Parties and Persons in support
7. Parties and Persons in opposition
8. Rebuttal by Applicant

The following time constraints will be adhered to in this meeting:

- The Applicant – 1 hour
- Parties – 15 minutes
- Organizations – 5 minutes
- Individuals – 3 minutes

There is not registered opposition.

The Commission intends to adhere to the time limits as strictly as possible in order to hear the case in a reasonable period of time. The Commission reserves the right to change the time limits for presentations if necessary and notes that no time shall be ceded.

All persons appearing before the Commission are to fill out two witness cards. These cards are located at each end of the table in front of us. Upon coming forward to speak to the Commission, please give both cards to the reporter sitting to my right.

The decision of the Commission in this case must be based exclusively on the public record. To avoid any appearance to the contrary, the Commission requests that persons present not engage the members of the Commission in conversation during any recess or at any time. The staff will be available to discuss procedural questions.

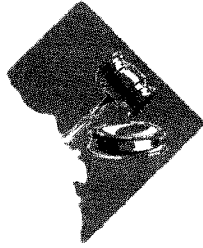
Please turn off all beepers and cell phones at this time so not to disrupt these proceedings.

At this time the Commission will consider any preliminary matters. Does the staff have any preliminary matters?

Would all individuals wishing to testify please rise to take the oath.

Secretary Bastida, would you please administer the oath?

ZONING COMMISSION



DISTRICT OF COLUMBIA ZONING COMMISSION

CHAIRPERSON'S CLOSING REMARKS

PUBLIC HEARING

Ladies and gentlemen, the other members of the Commission and I wish to thank you for your testimony and assistance in this hearing.

The record in this case is closed, [IF APPLICABLE] except for information or reports specifically requested by the Commission, which must be filed no later than Twelve (NOON) _____ in Suite 210 of this building (441 4th Street, N.W.). Please note that all filing are to take place at twelve (NOON).

Any party to the case may file a written response to any information or report filed after the close of the hearing. Such responses should be filed no later than seven days after (same as above), which is _____.

Parties in this case are invited to submit proposed findings of fact and conclusions of law no later than twelve (NOON). on _____.

The Commission will make a decision in this case at one of its regular monthly meetings following the closing of the record. These meetings are held at 1:30 P.M. on the second Monday of each month, with some exceptions, and are open to the public. If any individual is interested in following this case further, please contact staff to determine whether this case is on the agenda of a particular meeting.

I now declare this hearing closed.