SULLIVAN & BARROS, LLP

Real Estate | Zoning | Land Use | Litigation

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November 30, 2022

Via IZIS

D.C. Zoning Commission 441 4th Street, N.W. Suite 200-S Washington, DC 20001

Re: <u>Prehearing Submission Case No. 21-27: 1301 South Capitol Street, SW</u>

Dear Members of the Commission:

On behalf of the Applicant in the above-referenced case, an updated plat, updated plans, and updated renderings are being submitted to the record. At the last hearing, the Zoning Commission requested that the Applicant update the renderings to be consistent with the 2D plans; the Commission also requested that the Applicant refine the 2D plans. The 2D plans have been refined and the 3D renderings have been updated to match. In terms of supporting documents, the Applicant would refer the Zoning Commission to Exhibits 34C and 38C for a narrative of total plan changes since the first hearing; and Exhibit 34D for a list of proposed Conditions and Flexibility from any Final Order.

The Zoning Commission also requested that the Applicant work with the parties in opposition to resolve the issues prior to a continued hearing. Since the last hearing, Greg Keagle and Sheila Samaddar, the party opponents, have withdrawn their party status. As part of the process the Applicant, Party Opponent and 1319 S Cap owner agreed to a revised easement; therefore, the enclosed plans are achievable and do not require any flexibility with respect to the easement area. This was a concern of the Zoning Commission at the last hearing and one of the reasons why the hearing was rescheduled to January 5, 2023.

The Zoning Commission also requested that the Applicant attend the October Public Space Committee to get a final answer with respect to a curb cut and loading dock (desired by the ANC). The proposal was officially denied at the Public Space Committee and the Applicant is therefore unable to physically provide any loading. The Applicant is set to meet with the ANC in December.

¹ Neither loading nor parking is required for this project per the Zoning Regulations.

EXHIBIT NO.47

Respectfully Submitted,

Alexandra Wilson

Alexandra Wilson, Esq. Sullivan & Barros, LLP

CERTIFICATE OF SERVICE

I hereby certify that on November 30, 2022, an electronic copy of this submission was served to the following:

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Respectfully Submitted,

Sarah Harkcom, Case Manager Sullivan & Barros, LLP