

Exhibit 234

To: Werner, Ruth (COUNCIL)[RWerner@DCCOUNCIL.US]
Cc: norman.glasgowjr@hklaw.com[norman.glasgowjr@hklaw.com]
From: Leila.Batties@hklaw.com
Sent: Wed 3/29/2017 9:16:54 AM (UTC)
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good morning, Ruth.

Thank you for your reply.

Leila Batties | Holland & Knight
Partner
Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006
Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

-----Original Message-----

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Tuesday, March 28, 2017 4:42 PM
To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com>
Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hklaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi Leila,

Per our Office of General Counsel for the Council: Confirm. No further action is needed; no further emergency & temps or permanent is needed.

Hope this helps!

Ruth

Ruth Werner
Committee Director
Committee on Finance and Revenue
Councilmember Jack Evans, Ward 2
rwerner@dccouncil.us
(202)724-8058
(202)724-8023 (fax)
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004

-----Original Message-----

From: Leila.Batties@hklaw.com [mailto:Leila.Batties@hklaw.com]
Sent: Saturday, March 18, 2017 5:40 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US>
Cc: norman.glasgowjr@hklaw.com
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi, Ruth.

The final written order approving the PUD for the EastBanc property at 2715 Pennsylvania Avenue became effective on March 10, 2017, well in advance of the expiration of the temporary legislation. I don't believe any further action is required on the part of the property owner to grandfather the development of the property. However, can you please confirm based on your review of the legislation?

Thanks so much,
Leila

Leila Batties | Holland & Knight
Partner
Holland & Knight LLP

RECORD - 0001761

[Add to address book](#) | [View professional biography](#)

-----Original Message-----

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Friday, November 04, 2016 4:57 PM
To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hkllaw.com>; Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hkllaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi-

I don't believe so. We have a temporary measure B21-809 which expires on May 26, 2017.

https://urldefense.proofpoint.com/v2/url?u=http-3A__lims.dcccouncil.us_Legislation_B21-2D0809-3FFromSearchResults-3Dtrue&d=DwIFAg&c=14jPbF-1hWnYXveJ5rixtS_Fo3DRrpL7HUwJDAC4HIc&r=9cueITeGGGTfeMjpfG5v8eHC4iC7aVhiDQxwcI19Djw&m=56ka_gIcSb_jqKjHUQFfmqf5f8NELlh-bnnqVS-s1m0&s=9_6QtuJkA0I9DrKhr_M5z9n1oTWR9_hD6qWPdqFcZiI&e=

Hope this helps!

Ruth

-----Original Message-----

From: Leila.Batties@hkllaw.com [mailto:Leila.Batties@hkllaw.com]
Sent: Thursday, November 03, 2016 11:29 AM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US>; norman.glasgowjr@hkllaw.com
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good morning, Ruth.

Now, the earliest that the project will get proposed action is December 12th. This means final action approving the project will be late January/early February. Does the legislation need to be further amended?

Thanks,

Leila

Leila Batties | Holland & Knight

Partner

Holland & Knight LLP

800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564 leila.batties@hkllaw.com | www.hkllaw.com

[Add to address book](#) | [View professional biography](#)

-----Original Message-----

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Wednesday, October 05, 2016 8:47 AM
To: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hkllaw.com>
Cc: Batties, Leila M J (WAS - X72583) <Leila.Batties@hkllaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Ok! got it!

ruth

-----Original Message-----

From: norman.glasgowjr@hkllaw.com [mailto:norman.glasgowjr@hkllaw.com]
Sent: Tuesday, October 04, 2016 6:09 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US>
Cc: Leila.Batties@hkllaw.com
Subject: Re: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Ruth:

Please do the congressional review emergency as we will not have a decision in the case until October 17.

Thanks

Chip

RECORD - 0001762

Sent from my iPhone

On Oct 4, 2016, at 5:53 PM, Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@dccouncil.us>> wrote:

Hi there- just checking to see if you all got a decision? The emergency measure will expire (soon - 90 days from end of june), and there is a gap in between that (emergency) expiration and the temporary measure going into effect. WE can do a congressional review emergency on 10/11 if necessary. Let me know what you think,

Ruth

From: norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com> [mailto:norman.glasgowjr@hklaw.com]
Sent: Wednesday, June 29, 2016 9:07 AM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@dccouncil.us>>;
Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Thanks Ruth.
Chip

Norman Glasgow | Holland & Knight
Partner
Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2460 | Fax 202.955.5564
norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com> | www.hklaw.com<http://www.hklaw.com/>

Add to address book<http://www.hklaw.com/vcard.aspx?user=Nglasgow> | View professional biography<http://www.hklaw.com/id77/biosNglasgow>

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Wednesday, June 29, 2016 8:59 AM
To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com>>
Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi Leila- the Emergency measure passed, and the temporary measure is scheduled to have its final reading on July 12 - so you should be good to go!

Ruth

From: Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com> [mailto:Leila.Batties@hklaw.com]
Sent: Tuesday, June 28, 2016 8:56 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@DCCOUNCIL.US>>
Cc: norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good evening, Ruth.

I am just following up to see if the Councilmember was able to introduce the legislation today and, if so, what are next steps.

Thanks,
Leila

Leila Batties | Holland & Knight
Partner
Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com<mailto:leila.batties@hklaw.com> | www.hklaw.com<http://www.hklaw.com/>

Add to address book<http://www.hklaw.com/vcard.aspx?user=lmjbatti> | View professional biography<http://www.hklaw.com/id77/bioslmjbatti>

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Wednesday, June 22, 2016 4:42 PM
To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com>>
Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Thanks for sending this. I believe CM Evans will be requesting another emergency and temporary for the june 28 legislative meeting agenda (see attached drafts). Let me know if you have questions or concerns with the attached drafts.

RECORD - 0001763

Thanks,

Ruth

Ruth Werner
Committee Director
Committee on Finance and Revenue
Councilmember Jack Evans, Ward 2
rwerner@dccouncil.us<mailto:rwerner@dccouncil.us>
(202)724-8058
(202)724-8023 (fax)
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004
www.jackevans.org

From: Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com> [mailto:Leila.Batties@hklaw.com]
Sent: Monday, June 13, 2016 4:52 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@DCCOUNCIL.US>>
Cc: norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good afternoon, Ruth.

I hope that you had a good weekend.

As a follow up to our phone discussion last week, below is an outline of the process for the zoning applications filed for 2715 Pennsylvania Avenue:

1. On July 31, 2015, we filed ZC Case No. 15-18 seeking approval of a PUD and a map amendment from C-2-A/unzoned to W-2.
2. On October 27, 2015, at the direction of OP, after their discussion with OAG, we filed application number ZC Case No. 15-25 seeking a text amendment to the Zoning Regulations to reduce the minimum land area for a PUD from 15,000 to 10,000 s.f. so that the PUD application (ZC Case No. 15-18) would qualify for the 50% waiver of the area requirements.
3. On October 27, 2015, we filed a letter with the Zoning Commission proposing that they (1) concurrently process the text amendment and PUD applications or (2) grant a waiver from the minimum lot area requirements.
4. On December 14, 2015, the Zoning Commission set down ZC Case No. 15-25 (text amendment), but asked for additional information on the implications of the proposed text amendment on a city-wide basis.
5. On February 29, 2016, we withdrew ZC Case No. 15-25, at the suggestion of OP, on the basis that (1) it would be too difficult for OP and the applicant to provide the Zoning Commission with the requested information and (2) the new Zoning Regulations (ZR 2016) included a provision for the waiver of the land area requirements necessary to proceed with the PUD proposed in ZC Case No. 15-18.
6. On March 9, 2016, we amended the PUD application to include the waiver of the minimum land area requirements (based on ZR 2016) and expanded the PUD benefits and amenities package to include a contribution in the amount of \$359,604 to the Housing Production Trust Fund.
7. On April 11, 2016, the Zoning Commission set down for public hearing the PUD (ZC Case No. 15-18).
8. On April 25, 2016, we filed the prehearing statement for ZC Case No. 15-18.
9. The public hearing for the PUD (ZC Case No. 15-18) is scheduled for July 21, 2016, which makes it procedurally impossible for the application to be approved by September 11, 2016, which is the date the Gas Station Advisory Board Temporary Amendment Act expires.

In light of the foregoing, we respectfully request that Councilmember Evans support a one-year extension to the Act. Of course, I'm happy to provide any additional information that may be helpful in your consideration of this request.

Thanks,
Leila

Leila Jackson Batties | Holland & Knight Partner Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com<mailto:leila.batties@hklaw.com> | www.hklaw.com<http://www.hklaw.com/>

Add to address book<http://www.hklaw.com/vcard.aspx?user=lmjbatti> | View professional biography<http://www.hklaw.com/id77/bioslmjbatti>

RECORD - 0001764

Sent: Thursday, June 09, 2016 9:21 AM

To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hkllaw.com<mailto:Leila.Batties@hkllaw.com>>

Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hkllaw.com<mailto:norman.glasgowjr@hkllaw.com>>

Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi there,

And apologies for the delay - the nudging is needed now for ME. I got a bit sidetracked with budget and other items on the agenda for this past Tuesday.

They have said that "the exemption applies only to those who filed with the stated timeframe, but when the law expires, the exemption expires."

When do you believe you'll have PUD application approved? We can pursue moving another emergency and temporary. Let me know what you think. I'm at my desk until 11am today, and here tomorrow morning as well.

Ruth

Ruth Werner
Committee Director
Committee on Finance and Revenue
Councilmember Jack Evans, Ward 2
rwerner@dccouncil.us<mailto:rwerner@dccouncil.us>
(202)724-8058
(202)724-8023 (fax)
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004
www.jackevans.org

From: Leila.Batties@hkllaw.com<mailto:Leila.Batties@hkllaw.com> [mailto:Leila.Batties@hkllaw.com]

Sent: Thursday, June 09, 2016 5:54 AM

To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@DCCOUNCIL.US>>

Cc: norman.glasgowjr@hkllaw.com<mailto:norman.glasgowjr@hkllaw.com>

Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good morning, Ruth.

Just following up on the email thread below. Would you mind "nudging" the General Counsel to see if we can get his written confirmation on our understanding of the legislation.

Thanks,
Leila

Leila Batties | Holland & Knight
Partner
Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hkllaw.com<mailto:leila.batties@hkllaw.com> | www.hkllaw.com<http://www.hkllaw.com/>

Add to address book<http://www.hkllaw.com/vcard.aspx?user=lmjbatti> | View professional biography<http://www.hkllaw.com/id77/bioslmjbatti>

From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]

Sent: Friday, May 20, 2016 3:12 PM

To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hkllaw.com<mailto:Leila.Batties@hkllaw.com>>

Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hkllaw.com<mailto:norman.glasgowjr@hkllaw.com>>

Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

I have not forgotten - I'm waiting on our General Counsel. More to come soon....

Ruth

From: Leila.Batties@hkllaw.com<mailto:Leila.Batties@hkllaw.com> [mailto:Leila.Batties@hkllaw.com]

Sent: Monday, May 16, 2016 9:56 AM

RECORD - 0001765

To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@DCCOUNCIL.US>>
Cc: norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Thanks, Ruth. We look forward to confirmation from the General Counsel. Have a great week.

Leila Jackson Batties | Holland & Knight Partner Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com<mailto:leila.batties@hklaw.com> | www.hklaw.com<http://www.hklaw.com/>

Add to address book<http://www.hklaw.com/vcard.aspx?user=lmjbatti> | View professional biography<http://www.hklaw.com/id77/bioslmjbatti>
From: Werner, Ruth (COUNCIL) [mailto:RWerner@DCCOUNCIL.US]
Sent: Friday, May 13, 2016 1:53 PM
To: Batties, Leila M J (WAS - X72583) <Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com>>
Cc: Glasgow, Norman M Jr (WAS - X72460) <norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>>
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Hi - sorry I missed your call. The intent was that a PUD application filed before the deadline would qualify. I have asked our general counsel to confirm your question below.

Ruth

Ruth Werner
Committee Director
Committee on Finance and Revenue
Councilmember Jack Evans, Ward 2
rwerner@dccouncil.us<mailto:rwerner@dccouncil.us>
(202)724-8058
(202)724-8023 (fax)
The John A. Wilson Building
1350 Pennsylvania Avenue, NW
Washington, DC 20004
www.jackevans.org

From: Leila.Batties@hklaw.com<mailto:Leila.Batties@hklaw.com> [mailto:Leila.Batties@hklaw.com]
Sent: Wednesday, May 11, 2016 3:14 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US<mailto:RWerner@DCCOUNCIL.US>>
Cc: norman.glasgowjr@hklaw.com<mailto:norman.glasgowjr@hklaw.com>
Subject: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

Good afternoon, Ruth.

This email serves as a follow up to my voicemail message.

Chip and I represent EastBanc on their PUD application for 2715 Pennsylvania Avenue, NW, the site of the Valero gas station. The PUD application, which was filed with the Zoning Commission on July 31, 2015, proposes the redevelopment of the Property with a restaurant at the basement and ground floor levels and an apartment house with 7 units above.

The attached legislation - Gas Station Advisory Board ("GSAB") Temporary Amendment Act creates an exemption from those sections of the Retail Services Station Act of 1976 prohibiting the discontinuing or converting to another use a full retail service station. Specifically exempted are those service stations for which an application was on file with the Zoning Commission between May 2, 2015 and August 1, 2015.

Given that our PUD application was filed with the Zoning Commission on July 31, 2015, it would fall under the exemption provided by the GSAB Temporary Amendment Act, notwithstanding the fact that said legislation expires on September 11, 2016.

We respectfully request confirmation of the foregoing.

Should you have any questions or concerns, please do not hesitate to contact Chip (202.419.2460) or me (202.419.2583). Thank you for your considerate attention to this matter.

Regards,

Leila Jackson Batties | Holland & Knight Partner Holland & Knight LLP
800 17th Street N.W., Suite 1100 | Washington, DC 20006 Phone 202.419.2583 | Fax 202.955.5564
leila.batties@hklaw.com<mailto:leila.batties@hklaw.com> | www.hklaw.com<http://www.hklaw.com/>

RECORD - 0001766

NOTE: This e-mail is from a law firm, Holland & Knight LLP ("H&K"), and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this e-mail in error, please notify the sender immediately, delete the e-mail from your computer and do not copy or disclose it to anyone else. If you are not an existing client of H&K, do not construe anything in this e-mail to make you a client unless it contains a specific statement to that effect and do not disclose anything to H&K in reply that you expect it to hold in confidence. If you properly received this e-mail as a client, co-counsel or retained expert of H&K, you should maintain its contents in confidence in order to preserve the attorney-client or work product privilege that may be available to protect confidentiality.