

Exhibit 238

To: Werner, Ruth (COUNCIL)[RWerner@DCCOUNCIL.US]
From: Westcott, Katherine (COUNCIL)
Sent: Fri 5/13/2016 8:01:39 PM (UTC)
Subject: RE: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

[REDACTED]

[REDACTED]

From: Werner, Ruth (COUNCIL)
Sent: Friday, May 13, 2016 1:50 PM
To: Westcott, Katherine (COUNCIL) <KWestcott@DCCOUNCIL.US>
Subject: FW: Gas Station Advisory Board Temporary Amendment Act / 2715 Pennsylvania Avenue, NW

[REDACTED]

[REDACTED]

From: [mailto:Leila.Batties@hklaw.com]
Sent: Wednesday, May 11, 2016 3:14 PM
To: Werner, Ruth (COUNCIL) <RWerner@DCCOUNCIL.US>
Cc: 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](#)
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