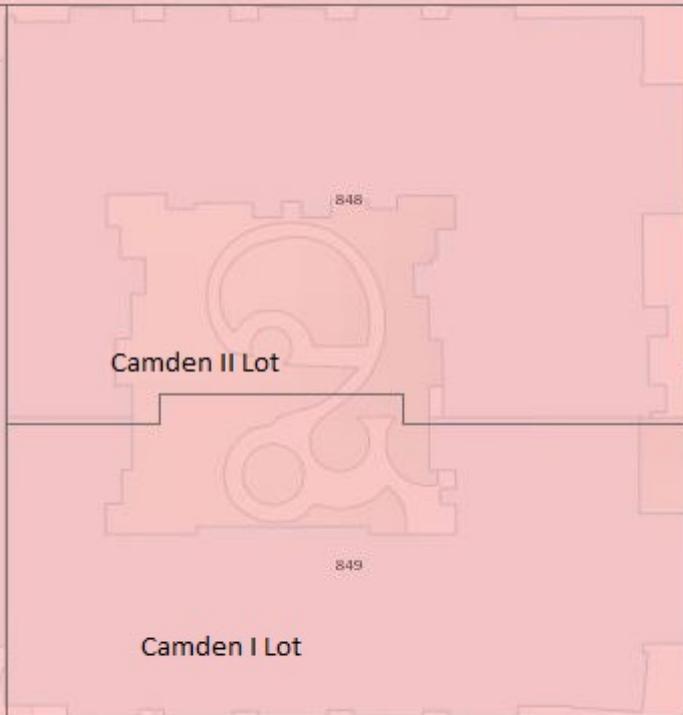


EXHIBIT A

Pierce St NE

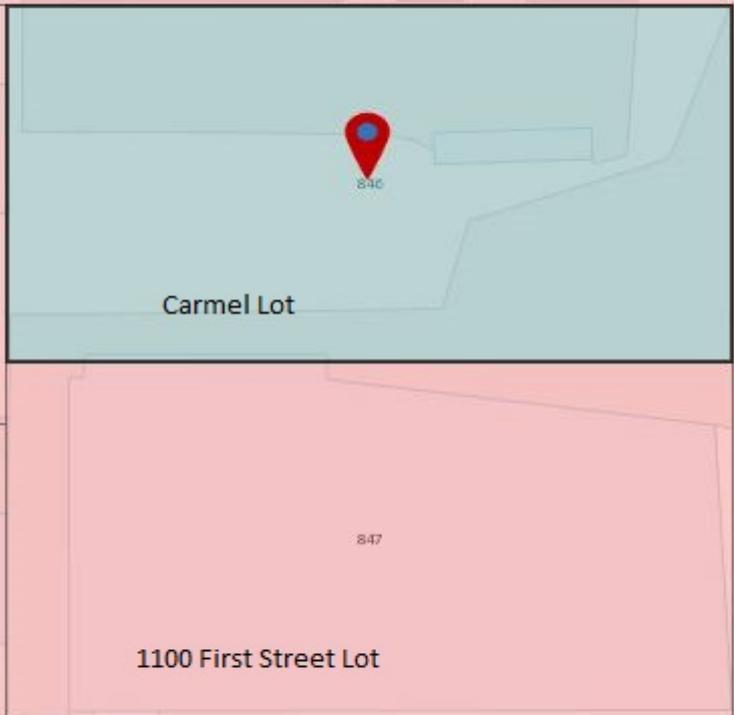


848

Camden II Lot

849

Camden I Lot



846

Carmel Lot

847

1100 First Street Lot

L St NE

EXHIBIT B

OFFICIAL Zoning Map Address

Resources Measure Layers Basemaps Print Help

Buffer Full Report Set as Home

Location

Square, Suffix, Lot
0673 0846
[Tax Record](#)

Premises Address
1150 1ST STREET NE

Owner Name
T S NOMA LP

Owner Address
**45 ROCKEFELLER PLZ
NEW YORK NY 10111-0100**

Imagery



[View Perspective Imagery](#)
[Google Maps](#)
[Bing Maps](#)

Zoning

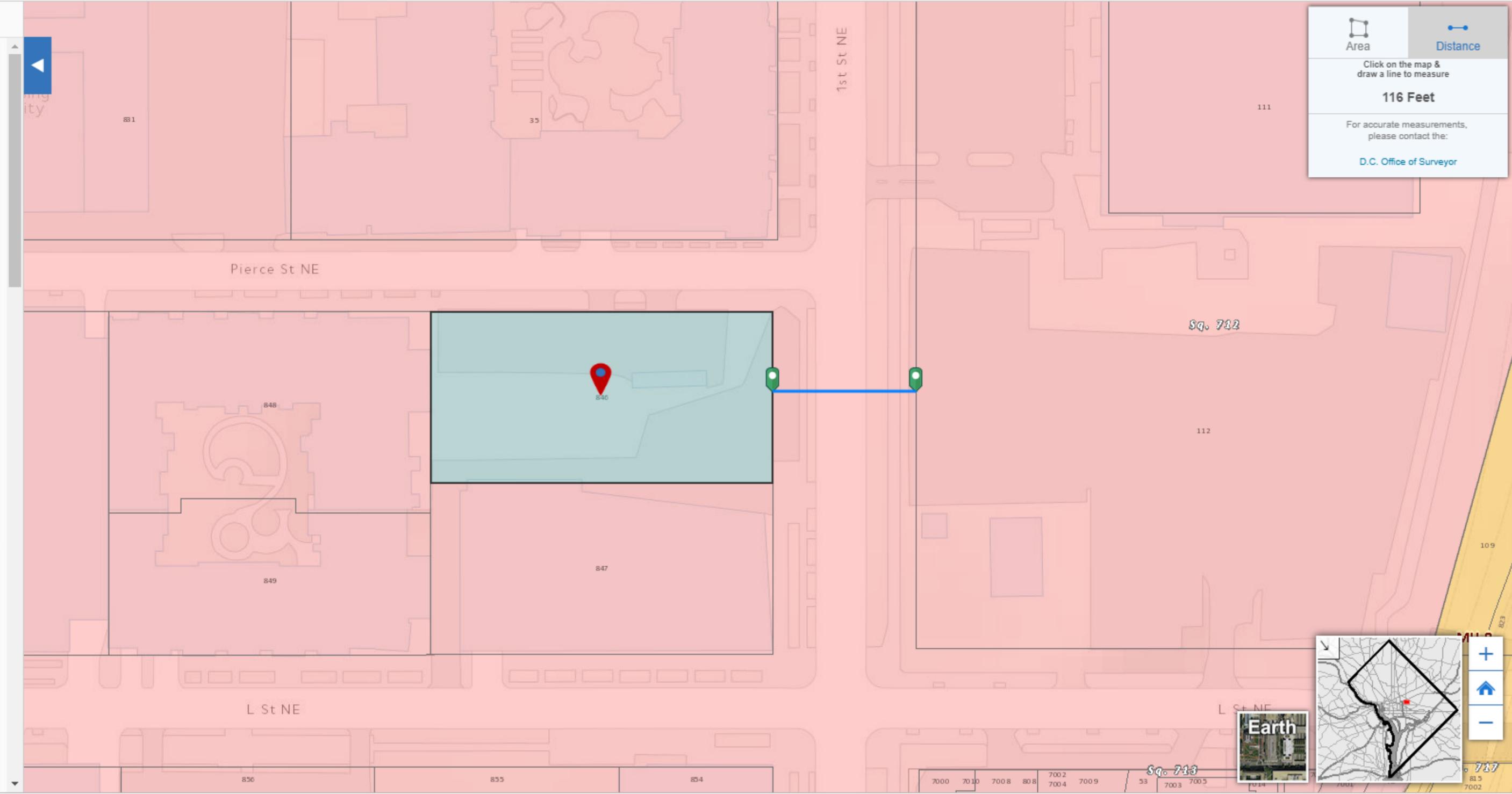
Planned Unit Development
None

Zone District
D-5

Campus Plan
None

Historical Landmark
None

Historical District
None



Area Distance

Click on the map & draw a line to measure

116 Feet

For accurate measurements, please contact the:

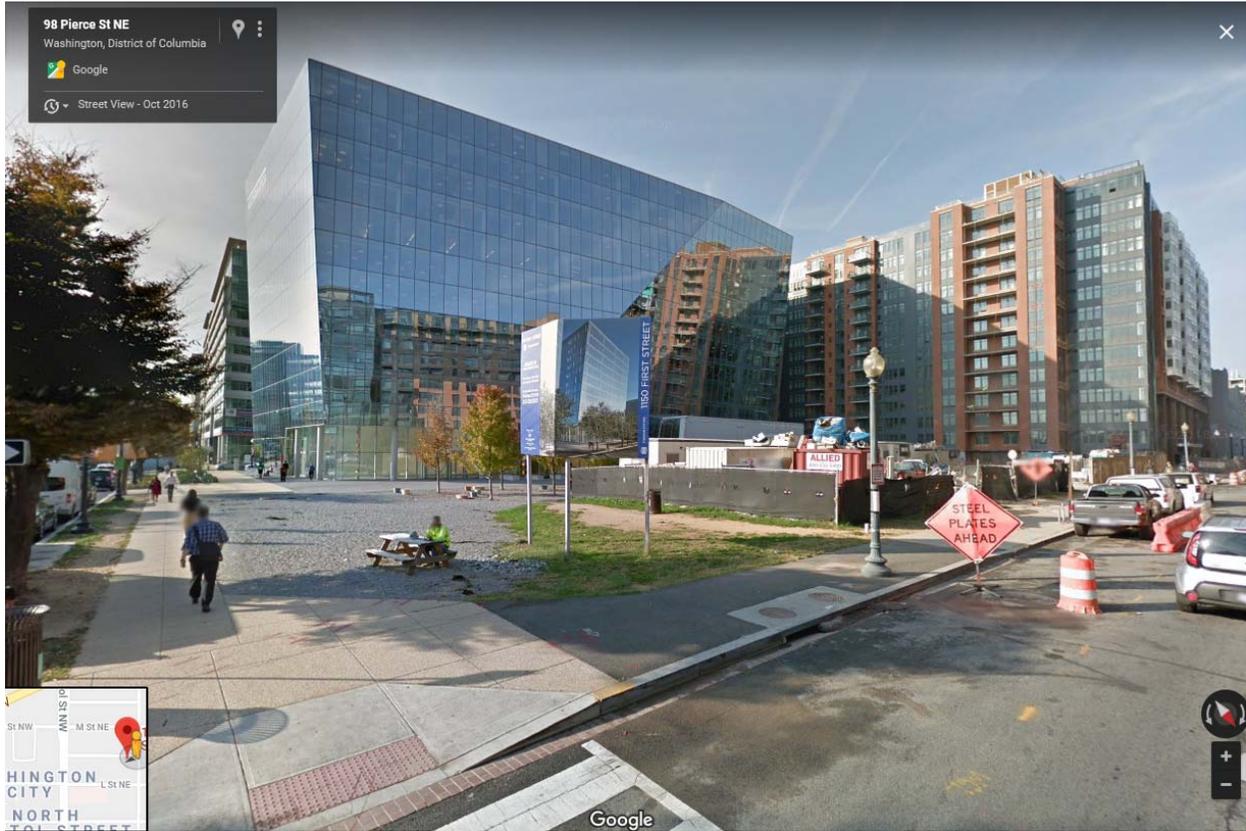
[D.C. Office of Surveyor](#)

Earth



EXHIBIT C

Image showing Property, 1100 First Street Office Building and Camden II



Aerial Image of Record Lot 34 (Camden II not yet constructed)



Image of the existing alley between 1100 First Street Office Building, Camden I and Camden II

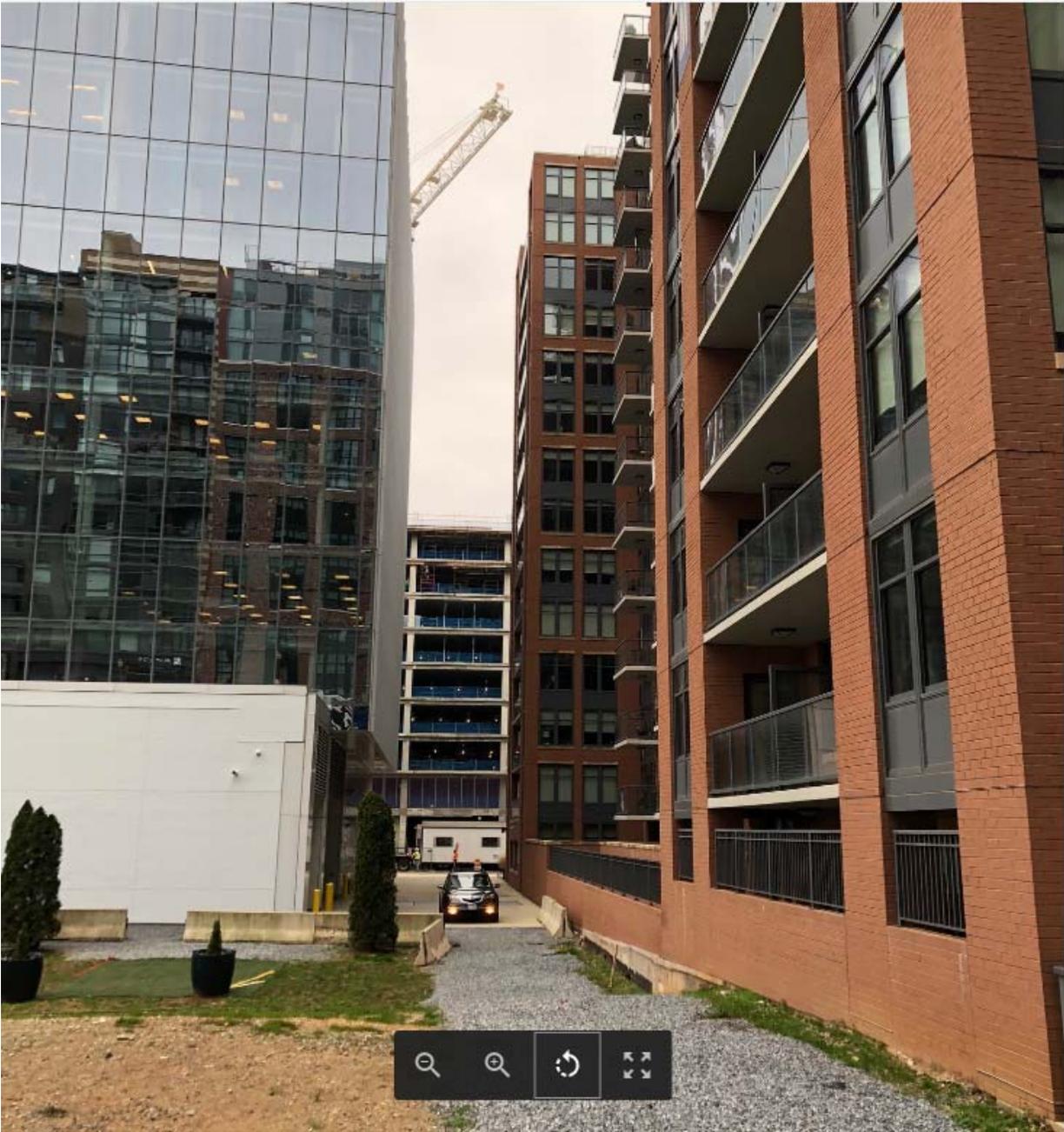
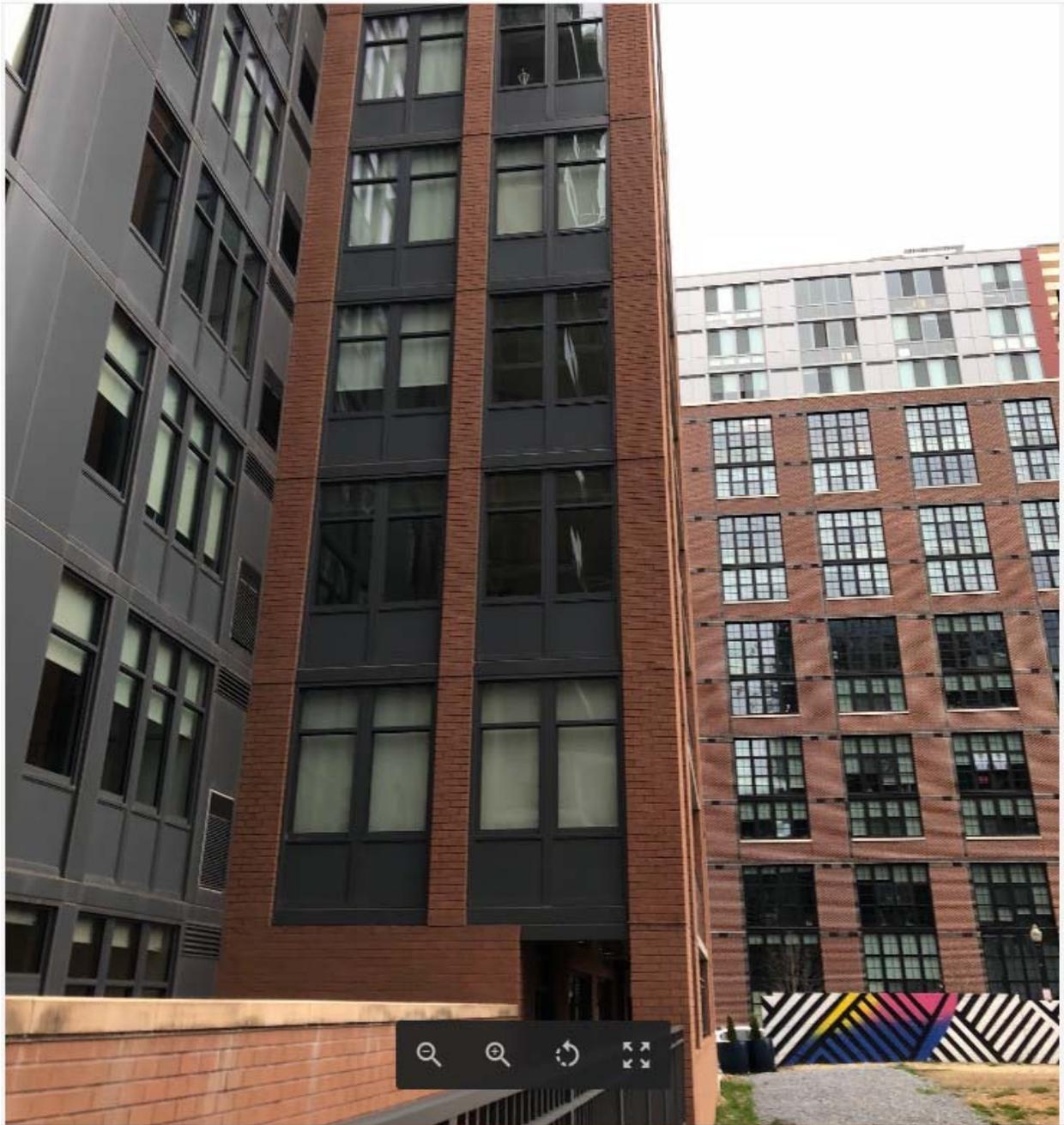


Image of Camden II looking towards Pierce Street



1100 First Street Office Building Loading Dock



EXHIBIT D

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17721 of Camden Development, Inc., through NOMA Development LLC, pursuant to 11 DCMR § 3104.1, for a special exception from the roof structure design provisions under subsections 411.3, 411.5, and 411.11, to allow the construction of a new 14-story apartment building in the C-3-C District at premises 60 L Street, N.E. (Square 673, Lot 841).

HEARING DATE: February 26, 2008
DECISION DATE: February 26, 2008 (Bench Decision)

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2.¹ The Applicant seeks special exception relief pursuant to §§ 3104 and 411.11 from § 411.3 to allow for multiple rooftop structures, and from § 411.5 to allow for rooftop structures of varying heights.

The Applicant intends to develop the site as a 14-story apartment building that will be constructed in two phases. The southern half of the lot will be constructed during the first phase of development, and the northern half will be constructed during the second phase. Ultimately the two phases will function as one building with corridors connecting the two throughout. Accordingly, the roof plan that was before the Board encompasses both Phase 1 and 2. However, due to the uncertainty of market conditions the Applicant was uncertain as to when Phase 2 of the development would occur.

The revised roof plan for Phase 1 is depicted in plans attached to the Pre-Hearing Statement. (Exhibit 24, Tab A, Sheet A2.14). Phase 2 roof plans are shown at Exhibit 10, Sheets A-1 3. Plans showing the apartment unit configuration for the development (both phases) are shown at Exhibit 10, Sheet A1.90.

¹ The applicant initially sought relief from the rooftop structure setback requirements under § 411 and §400.7 (corrected to § 770.6, which is applicable in the C-3-C zone). However, the applicant withdrew this request because it determined that the western wall of the proposed building would not be an “exterior” wall under § 770.6 and; thus, no setback relief was necessary.

441 4th Street, N.W., Suite 200/210-S, Washington, D.C. 20001

Telephone: (202) 727-6311

Facsimile: (202) 727-6072

E-Mail: dcoz@dc.gov

Web Site: www.dcoz.dc.gov

Board of Zoning Adjustment
District of Columbia
CASE NO.17721
EXHIBIT NO.2

BZA APPLICATION NOS. 17721
PAGE NO. 2

The Board provided proper and timely notice of the public hearing on this application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission (ANC) 6C and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 6C, which is automatically a party to this application. ANC 6C submitted a report in support of the application. The Office of Planning (OP) submitted a report in support of the application.

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception under sections 411.3, 411.5, and 411.11. No parties appeared at the public hearing in opposition to this application. Accordingly a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board, and having given great weight to the OP and ANC reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 411.3, 411.5, and 411.11, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5 the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law and to waive the time limitation set forth in 11 DCMR § 3130.1 with respect to the implementation of the roof plan for Phase 2 of the development.

As this case was self-certified and presents issues to the Board only relating to the location and the number of roof structures, the Board did not consider nor does this order address any other potential zoning issues, such as the height of the building.²

It is therefore **ORDERED** that this application be **GRANTED** subject to the following **CONDITIONS**:

1. The roof plans shall be implemented in accordance with the revised plans in the record.

² The Applicant indicated an intent to establish in Phase 2 an above-grade connection to the office building development being constructed to the east in order to achieve a building height of 130 feet. Applicant stated at the hearing that the owner of the office building has been meeting with the Zoning Administrator on this issue. The Applicant further represented that he could not pull a building permit for the building at this height without the Zoning Administrator's approval of such connection. *See* February 26, 2008, Transcript at 22.

2. The approval granted by this order, as pertaining to the first phase of development, shall be valid for a period of two years from the effective date of this order, unless, within such period, the plans for the erection or alteration of the structures are filed for the purpose of securing a building permit.
3. The approval granted by this order, as it pertains to the second phase of development, shall be valid for a period of ten years from the effective date of this order, unless, within such period, the plans for the erection or alteration of the structures are filed for the purpose of securing a building permit.

VOTE: 3-0-2 (Ruthanne G. Miller, Marc D. Loud and Mary O. Walker to approve, the Zoning Commission member not present, not voting and Shane L. Dettman abstaining)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member approved the issuance of this order.

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

FINAL DATE OF ORDER: MAR 28 2008

UNDER 11 DCMR 3125.9, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3125 APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAL STATUS, FAMILY

RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER. RSN

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



BZA APPLICATION NO. 17721

As Director of the Office of Zoning, I hereby certify and attest that on March 28, 2008, a copy of the order entered on that date in this matter was mailed first class, postage prepaid or delivered via inter-agency mail, to each party and public agency who appeared and participated in the public hearing concerning the matter, and who is listed below:

John T. Epting, Esq.
Christine A. Roddy, Esq.
Pillsbury Winthrop Shaw Pittman LLP
2300 N Street, N.W.
Washington, D.C. 20037-1122

Chairperson
Advisory Neighborhood Commission 6C
P.O Box 77876
Washington, D.C. 20013

Commissioner 6C04
Advisory Neighborhood Commission 6C
P.O Box 77876
Washington, D.C. 20013

Tommy Wells, City Councilmember
Ward Six
1350 Pennsylvania Avenue, N.W., Suite 102
Washington, D.C. 20004

Matthew LeGrant, Zoning Administrator
Building and Land Regulation Administration
Department of Consumer and Regulatory Affairs
941 N. Capitol Street, N.E.
Washington, D.C. 20002

BZA APPLICATION NOS. 17721
PAGE NO. 2

Jill Stern
Deputy General Counsel
DCRA
941 North Capitol Street, N.E., Suite 9400
Washington, D.C. 20002

rsn

ATTESTED BY:


JERRILY R. KRESS, FAIA
Director, Office of Zoning

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Board of Zoning Adjustment



Application No. 17721-A of Camden Development, Inc., through NOMA Development LLC, pursuant to 11 DCMR § 3104.1, for a special exception from the roof structure design provisions under subsections 411.3, 411.5, and 411.11, to allow the construction of a new 14-story apartment building in the C-3-C District, at premises 60 L Street, N.E. (Square 673, Lot 841).

HEARING DATE (Orig. Application): February 26, 2008
DECISION DATE (Orig. Application): February 26, 2008 (Bench Decision)
FINAL ORDER ISSUANCE DATE (Orig. Application): March 28, 2008
DECISION ON MOTION TO EXTEND ORDER: April 13, 2010

ORDER ON MOTION TO EXTEND
THE VALIDITY OF BZA ORDER NO. 17721

The Underlying BZA Order

On February 26, 2008, the Board of Zoning Adjustment (the Board or BZA) approved the Applicant's request for a special exception from the roof structure design provisions under subsections 411.3, 411.5, and 411.11, to allow the construction of a new 14-story apartment building in the C-3-C District. Thus, pursuant to 11 DCMR § 3104.1, the Board granted special exceptions from the roof structure design provisions under subsections 411.3, 411.5, and 411.11, to allow the construction of a new 14-story apartment building in the C-3-C District, at premises 60 L Street, N.E. (Square 673, Lot 841). The Order was issued March 28, 2008. (BZA Order 17721)

Under the Order, and pursuant to § 3130.1 of the Zoning Regulations, the Order was valid for two years from the time it was issued – until March 28, 2010.

BZA APPLICATION NO. 17721-A
PAGE NO. 2

Section 3130.1¹ states:

No order [of the Board] authorizing the erection or alteration of a structure shall be valid for a period longer than two (2) years, or one (1) year for an Electronic Equipment Facility(EEF), unless within such period, the plans for the erection or alteration are filed for the purposes of securing a building permit, except as permitted in § 3130.6.

(11 DCMR § 3130.1)

Motion to Extend

On February 26, 2010, the Board received a letter, dated February 26, 2010, from the Applicant, which requested, pursuant to 11 DCMR §3130.6,² a two-year extension in the authority granted in the underlying BZA Order, which was due to expire March 28, 2010. (Exhibit 33).

The Applicant is requesting a two-year extension in the authority granted in the underlying BZA Order because, due to the deterioration of the real estate market in Washington, D.C., the building is not financially viable at this time. The Applicant provided a signed and notarized affidavit (Exhibit 33, Exhibit B) in which it noted the difficulties and risks it faces unless it can extend the underlying Order. The Applicant's letter indicates that occupancy and rent growth have dropped dramatically for residential properties in the District and that there is an influx of residential buildings sitting vacant. Projects that have gone forward, as well as existing residential projects, have had to make significant concessions to attract tenants. The Applicant concludes that it cannot take the risk in this market that once the project is constructed that it will not be at full capacity, given its carrying costs and construction costs. Moreover, the Applicant has invested a significant sum of money in the site (approximately \$53 million), including spending over \$10 million since the purchase of the Property in the form of architectural design costs, preliminary site preparation, civil engineering, legal fees, and property taxes and interest. The Applicant further clarified that it has no intention of abandoning the Project, but simply needs additional time to allow the residential market to rebound to make the Project successful. (Exhibit 33).

¹ Section 3130.1 was amended by the addition of the phrase "except as permitted in § 3130.6" by the Zoning Commission in Z.C. Case No. 09-01. The amendment became effective on June 5, 2009.

² Section 3130.6 was adopted by the Zoning Commission in Z.C. Case No. 09-01 and became effective on June 5, 2009.

BZA APPLICATION NO. 17721-A
PAGE NO. 3

A response to the Applicant's motion was filed by the Office of Planning (OP), which issued a report in support of the time extension.³ (Exhibit 34).

The project is within the boundaries of Advisory Neighborhood Commission (ANC) 6C. While the proposal for a time extension was forwarded to ANC 6C, the ANC did not file a report regarding the motion.

According to the Applicant, the reasons for its request to the Board to extend the time of the Order are because of its inability to proceed without making significant concessions due to the unstable economic market and market conditions in the District. The extension would allow the Applicant the additional time in which to secure the permits and financing and ultimately tenants. Accordingly, the Applicant requested that, pursuant to § 3130.6 of the Regulations, the Board extend the validity of its prior Order for an additional two years, thereby allowing the Applicant additional time to proceed with the Project.

Criteria for Evaluating Motion to Extend

The Zoning Commission adopted 11 DCMR § 3130.6 in Zoning Commission Case No. 09-01. The Section became effective on June 5, 2009.

Section 3130.6 of the Zoning Regulations states in full:

- 3130.6 The Board may grant one extension of the time periods in §§ 3130.1 for good cause shown upon the filing of a written request by the applicant before the expiration of the approval; provided, that the Board determines that the following requirements are met:
- (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond;
 - (b) There is no substantial change in any of the material facts upon which the Board based its original approval of the application that would undermine the Board's justification for approving the original application; and

³ The OP report was submitted on April 12, 2010, less than seven days before the Board's public hearing. At OP's request, the Board waived its rule and accepted the report into the record.

BZA APPLICATION NO. 17721-A
PAGE NO. 4

(c) The applicant demonstrates that there is good cause for such extension, with substantial evidence of one or more of the following criteria:

(1) An inability to obtain sufficient project financing due to economic and market conditions beyond the applicant's reasonable control;

(2) An inability to secure all required governmental agency approvals by the expiration date of the Board's order because of delays that are beyond the applicant's reasonable control; or

(3) The existence of pending litigation or such other condition, circumstance, or factor beyond the applicant's reasonable control.

(11 DCMR § 3130.6)

The Board finds that the Applicant has met the criteria set forth in this provision. The filing of the motion on February 26, 2010, prior to the expiration date, tolled the effect of the order. The request was served on all the parties to the application and those parties were given 30 days in which to respond under § 3130.6(a). The Applicant's inability to secure the necessary permits and financing and the poor economic conditions in the District constitute the "good cause" required under § 3130.6(c)(1).

As required by § 3130.6(b), there is no substantial change in any of the material facts upon which the Board based its original approval. In requesting this extension of the Order, the Applicant's plans for development of the site would be unchanged from those approved by the Board in its Order dated March 28, 2008 (Exhibits No. 10, 28 and 30 in the record). There have been no changes to the zone district classification applicable to the property or to the Comprehensive Plan affecting this site since the issuance of the Board's Order.

Neither the ANC nor any party to the application objected to an extension of the Order. The Board concludes that the extension of that relief is appropriate under the current circumstances.

BZA APPLICATION NO. 17721-A
PAGE NO. 5

Accordingly, pursuant to § 3130.6 of the Regulations, the Board hereby extends the validity of the underlying Order, as conditioned, for a period not to exceed two years from the current expiration date, thereby establishing a new expiration date of March 28, 2012.

Pursuant to 11 DCMR § 3101.6, the Board has determined to waive the requirement of 11 DCMR § 3125.3, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this request for extension of time be **GRANTED** until March 28, 2012.

VOTE: 3-0-2 (Nicole C. Sorg, Meridith H. Moldenhauer, Shane L. Dettman to approve; no other Board members participating, nor voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

ATTESTED BY:


JAMISON L. WEINBAUM
Director, Office of Zoning

FINAL DATE OF ORDER: APR 15 2010

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

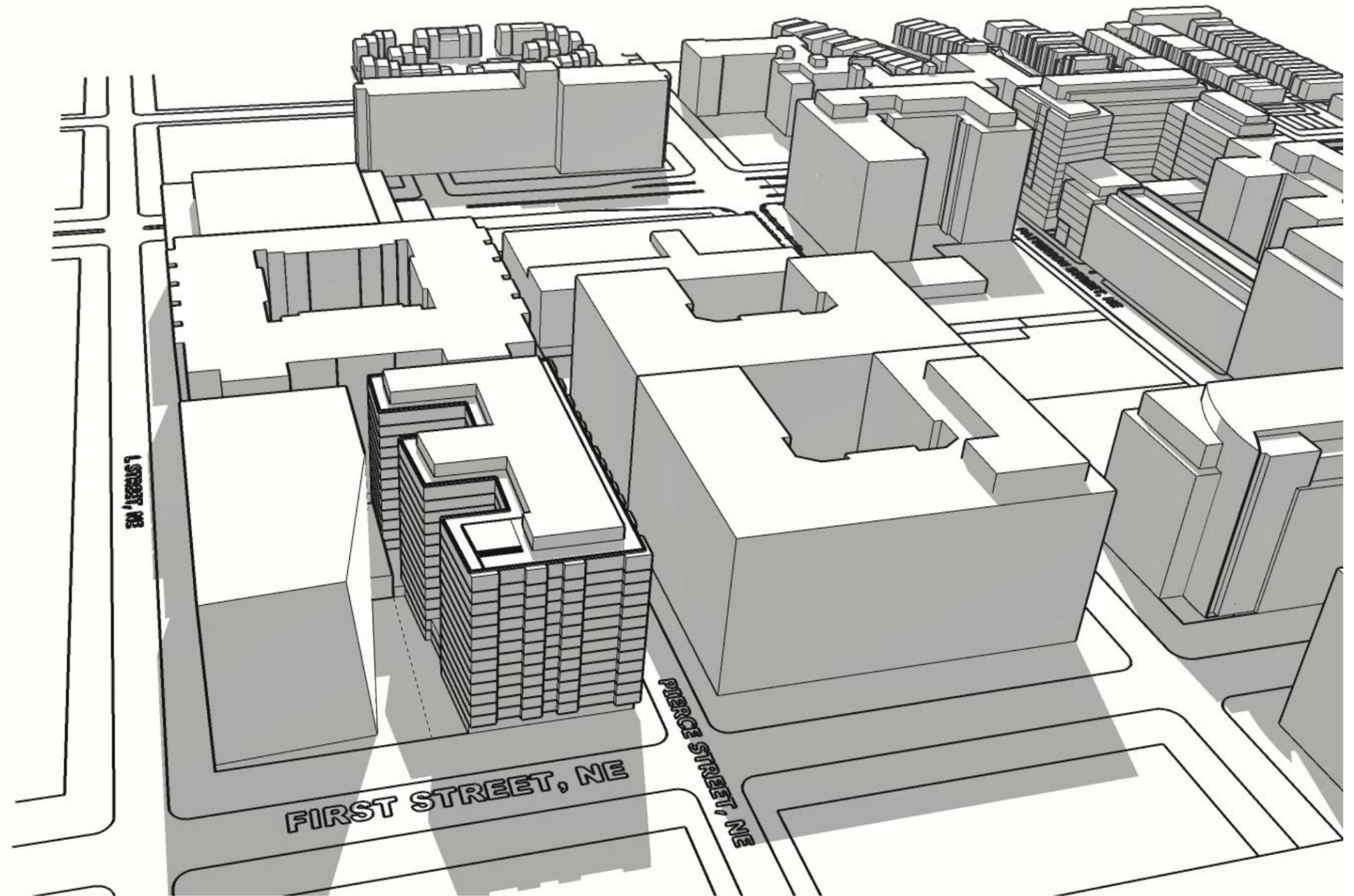
PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE, UNLESS THE BOARD ORDERS OTHERWISE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE §§ 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS

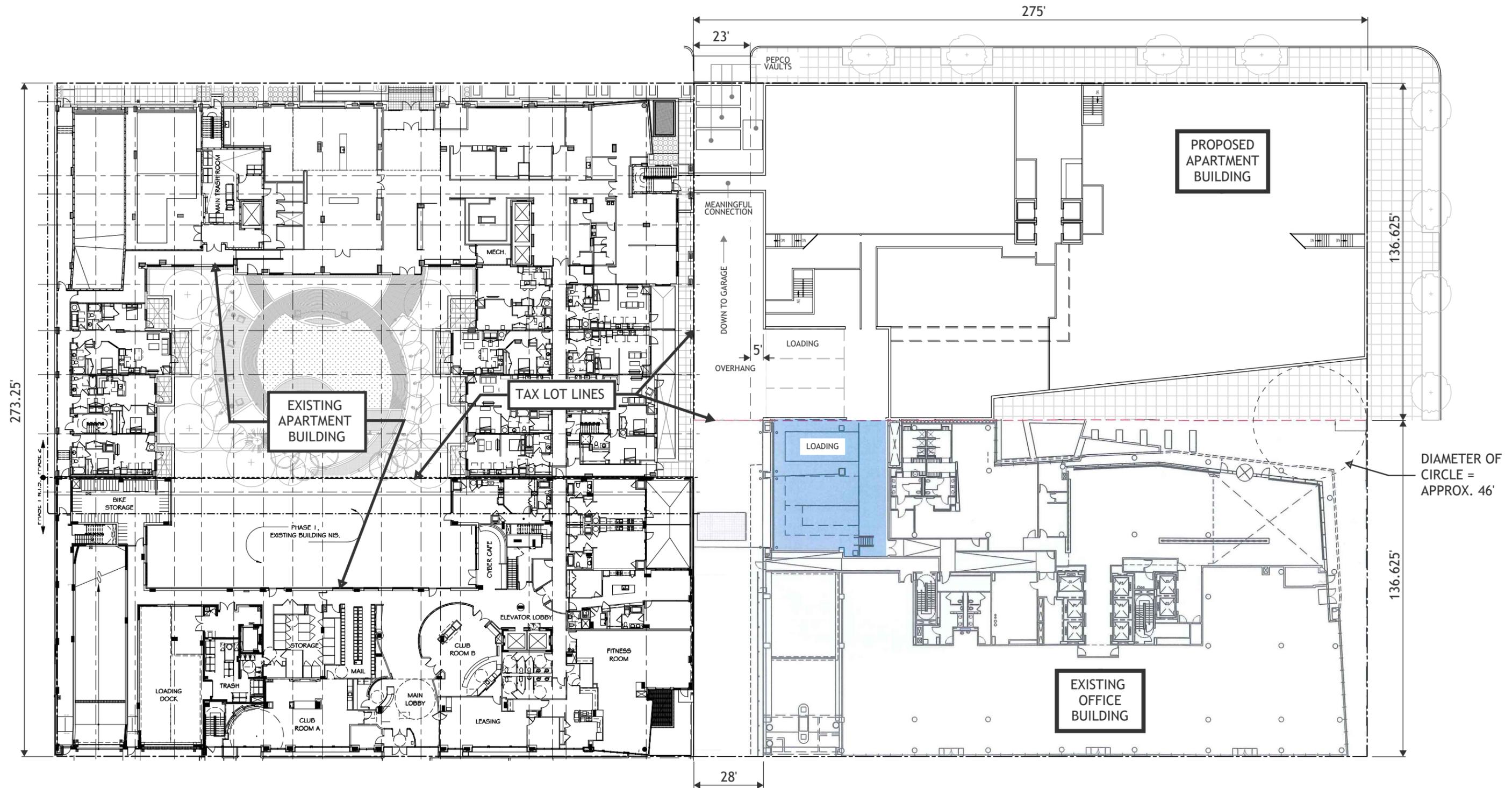
BZA APPLICATION NO. 17721-A
PAGE NO. 6

OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

EXHIBIT E

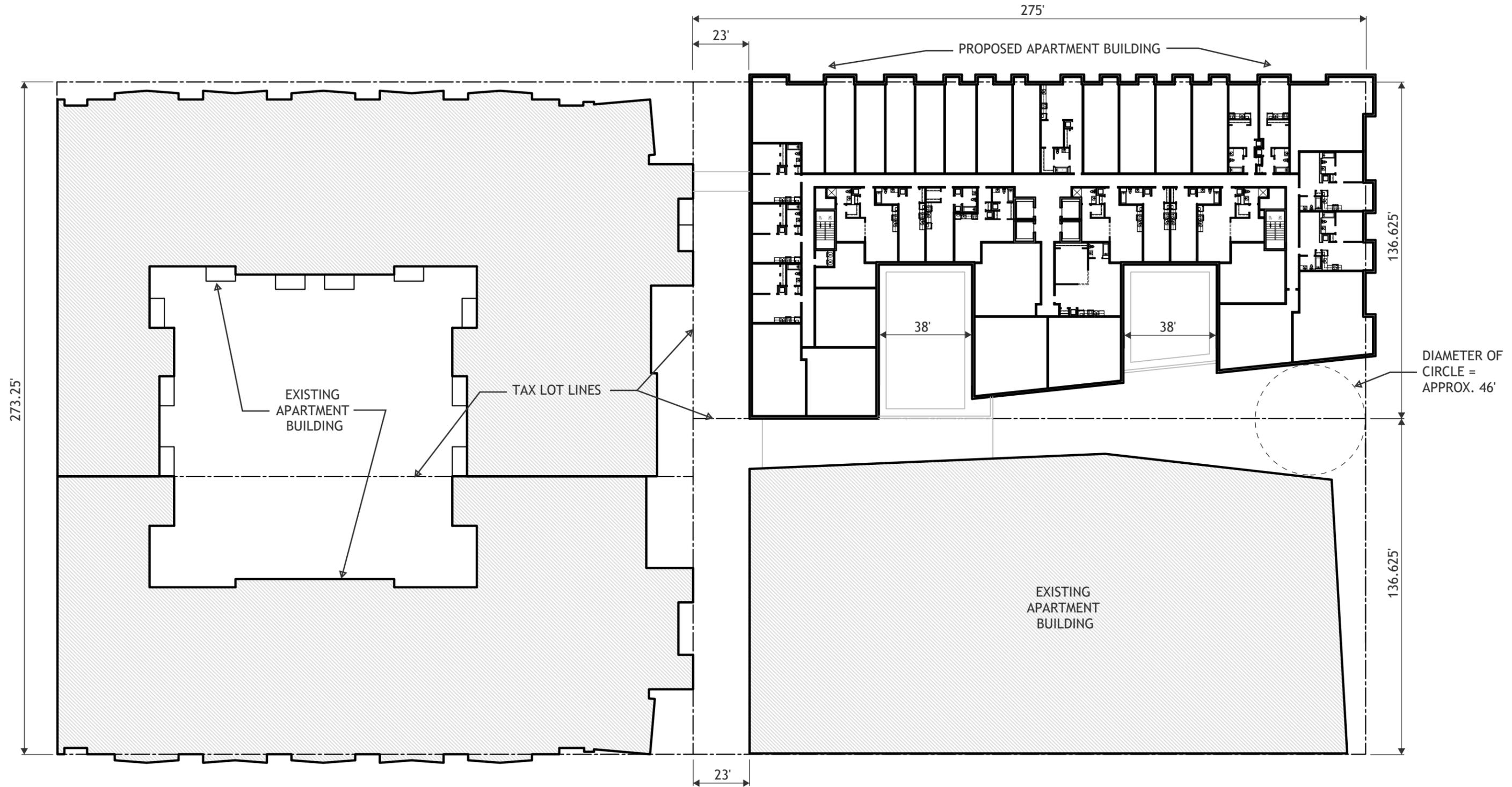


CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY



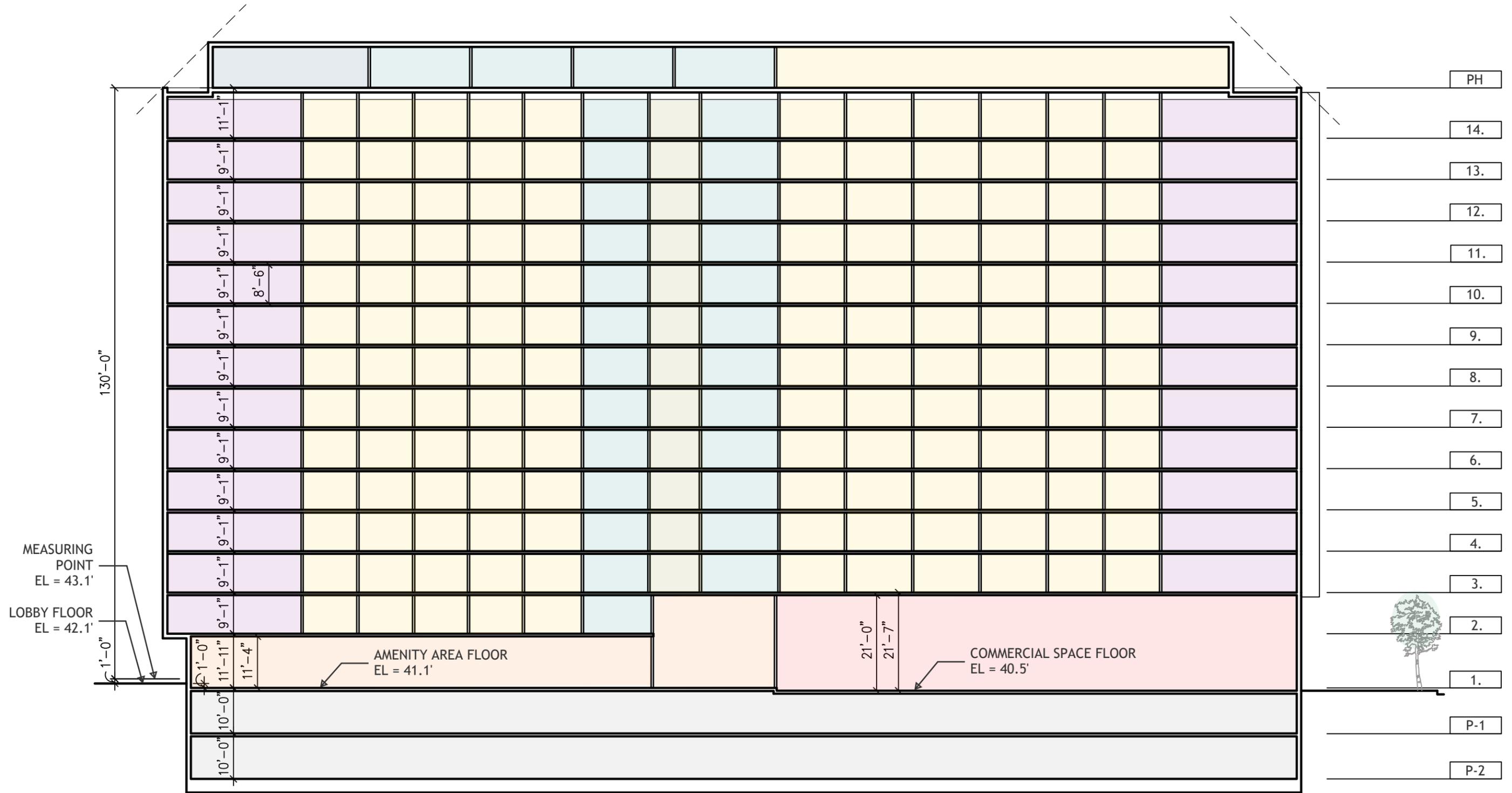
LOT 34, SQUARE 673

CARMEL PARTNERS / 1150 1st STREET, NE / ZONING ANALYSIS 1st FL DIAGRAM

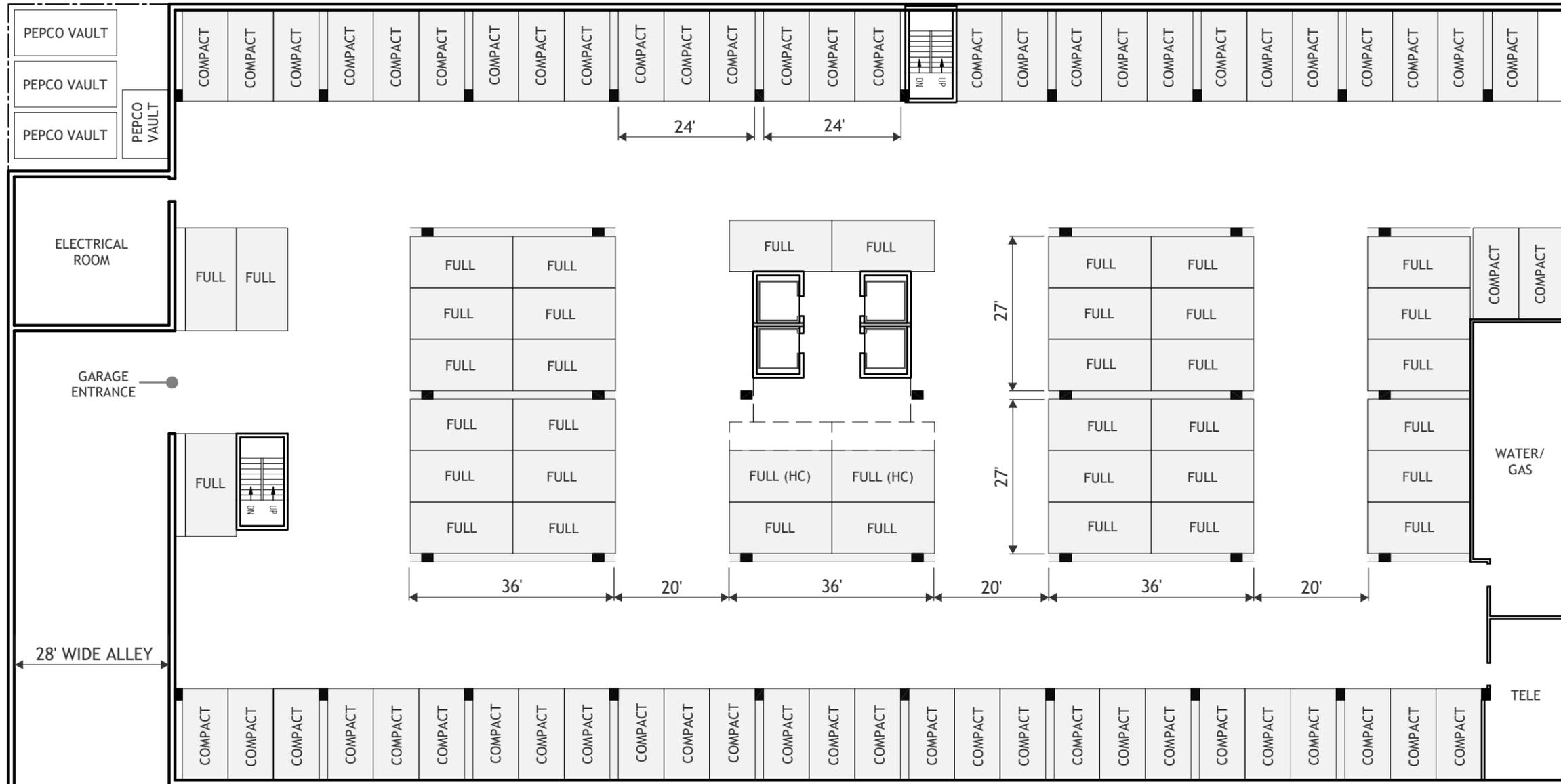


LOT 34, SQUARE 673

CARMEL PARTNERS / 1150 1st STREET, NE / ZONING ANALYSIS SITE DIAGRAM



CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY

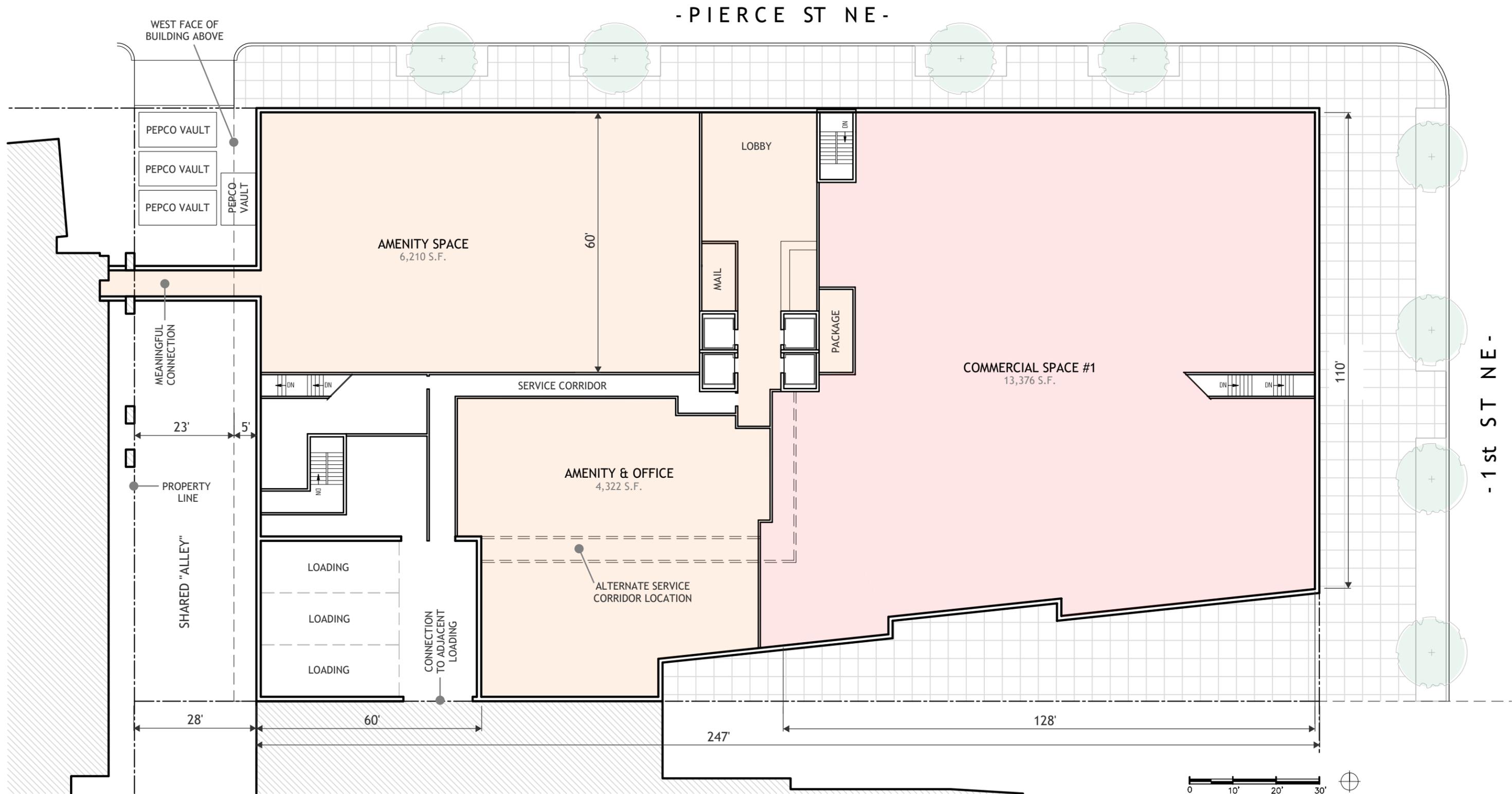


NOTE: OTHER GARAGE LEVELS SIMILAR.
95 SPACES PER LEVEL PROVIDED.



A GREATER NUMBER OF SPACES CAN BE PROVIDED ON PARKING FLOORS BELOW DUE TO OUR ABILITY TO HAVE PARKING UNDER THE ALLEY AND UNDER THE UTILITY SERVICE ROOMS.
FUTURE REQUIRED COLUMN ADJUSTMENTS MAY RESULT IN LOSS OF A FEW SPACES.

CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY



CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY

1250 Connecticut Ave NW, Suite 700, Washington, DC 20036

FIRST FLOOR PLAN | 01/14/2019

Page 6 | 717 5th Street NW Washington, DC 20001



- PIERCE ST NE -



CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY



- PIERCE ST NE -



- 1st ST NE -

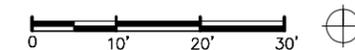
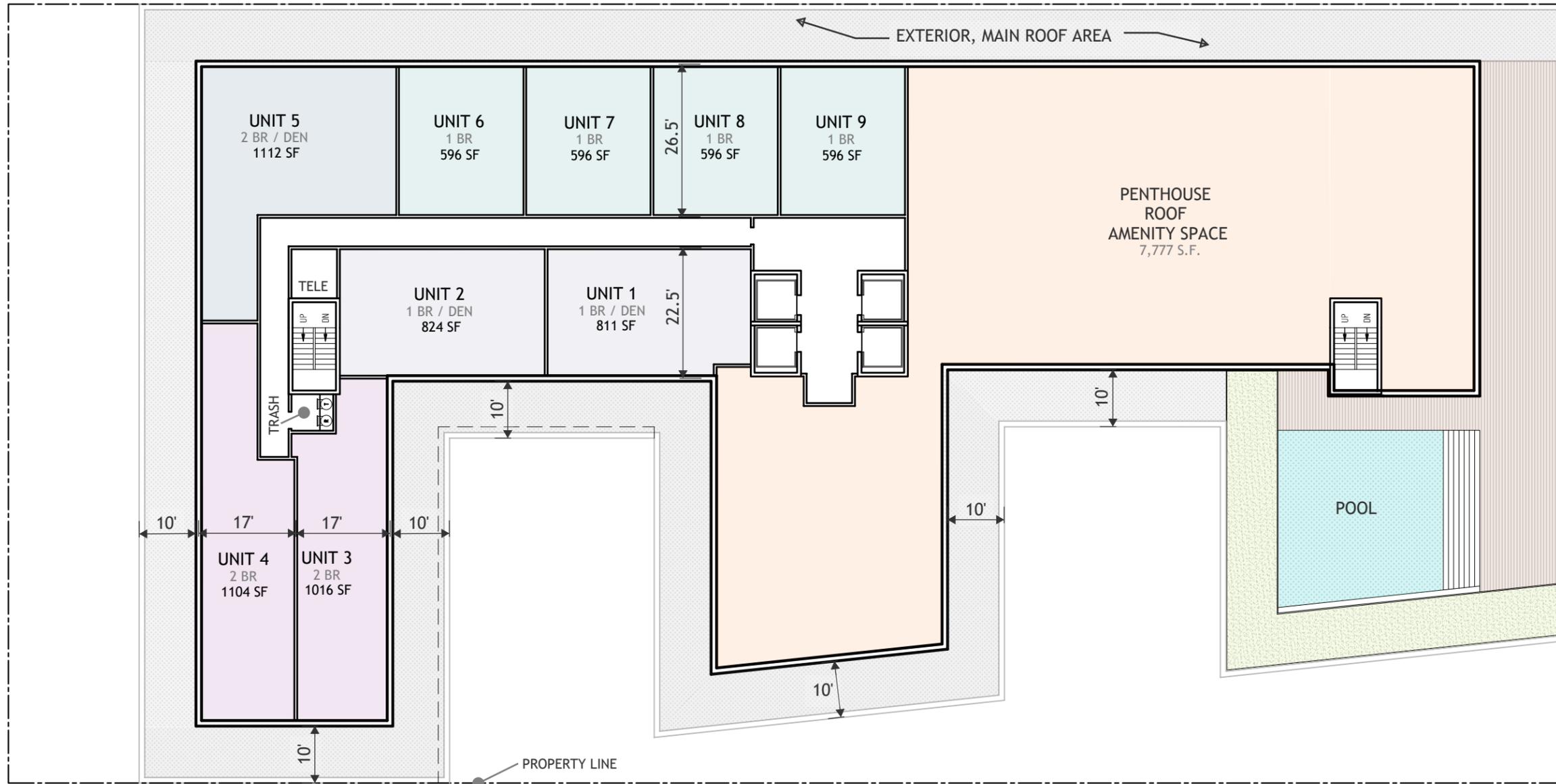
NOTE: UNIT LAYOUTS SHOWN FOR TYPICAL UNITS

NOTE: MOST UNIT DIMENSIONS ARE TO THE CENTERLINE OF PARTITIONS

CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY

TYPICAL FLOOR PLAN (3-14)

01/14/2019



NOTE: MOST UNIT DIMENSIONS ARE TO THE CENTERLINE OF PARTITIONS

CARMEL PARTNERS / 1150 1st STREET, NE / FEASIBILITY STUDY

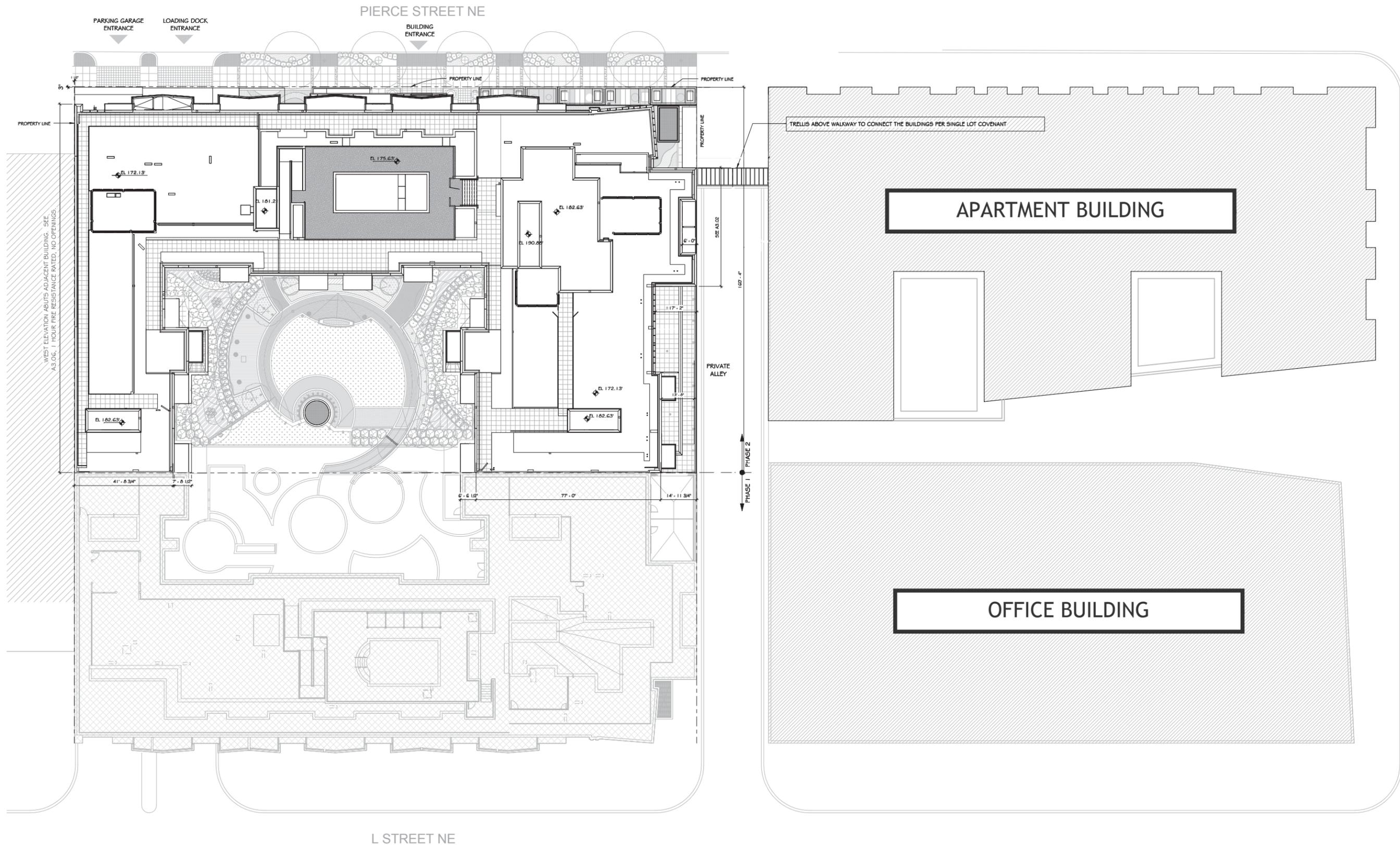
1250 Connecticut Ave NW, Suite 700, Washington, DC 20036

PENTHOUSE PLAN | 01/14/2019

Page 9 | 717 5th Street NW Washington, DC 20001



EXHIBIT F



① Illustrative Site Plan

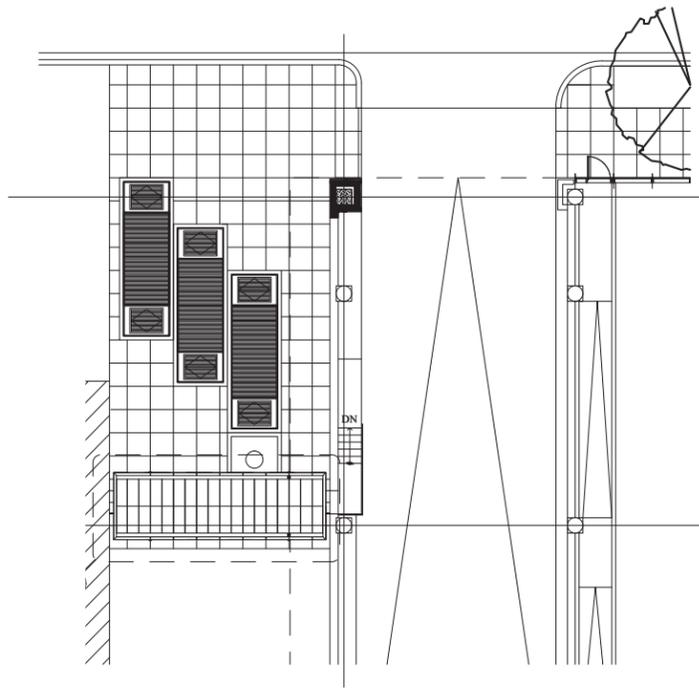


CARMEL PARTNERS / 1150 1st STREET, NE / MEANINGFUL CONNECTION

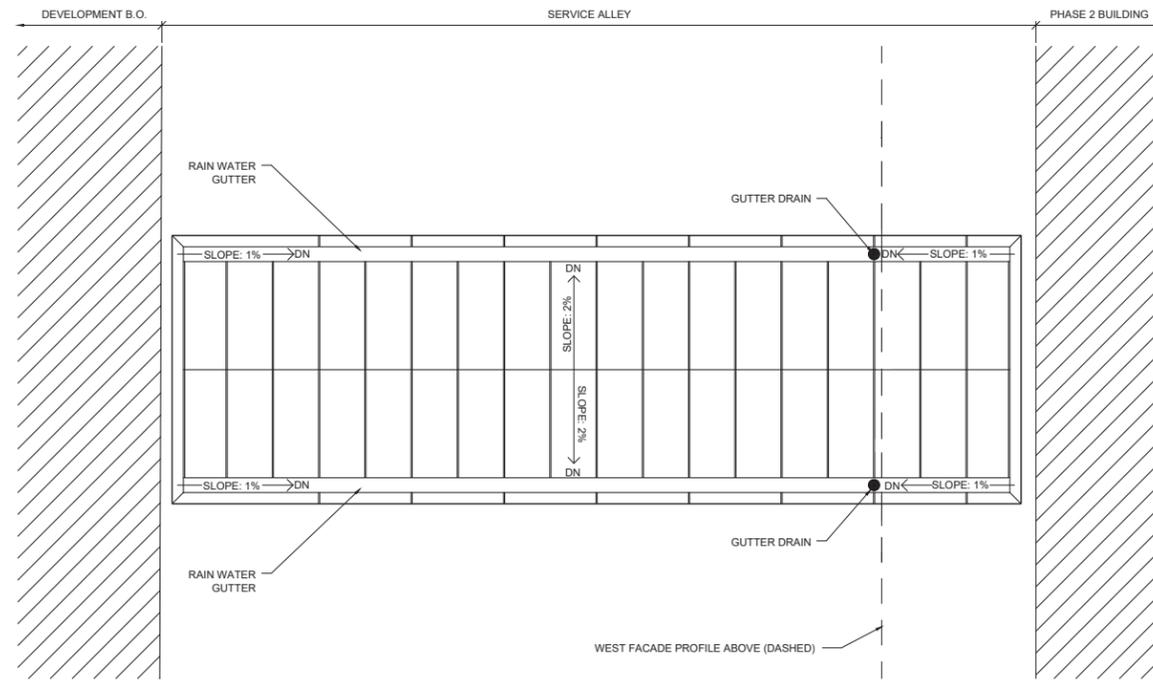
ILLUSTRATIVE
SITE PLAN

01/14/2019

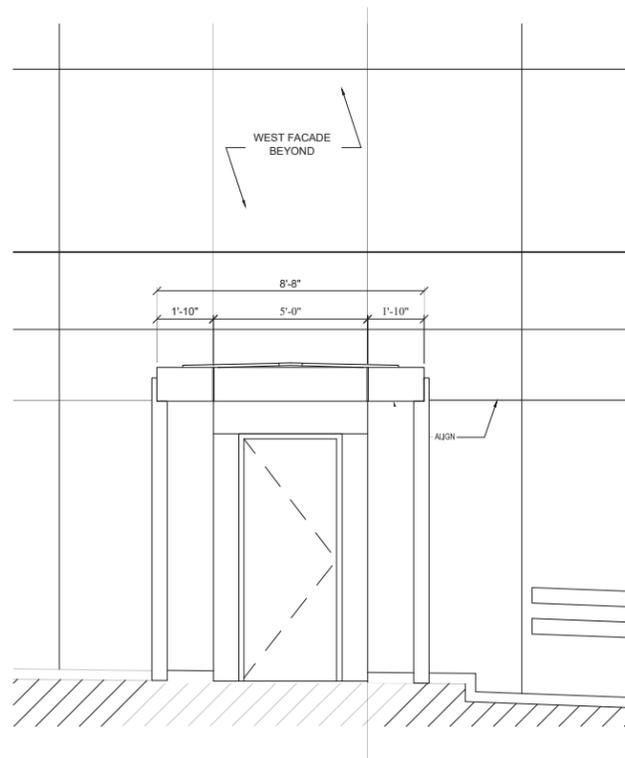




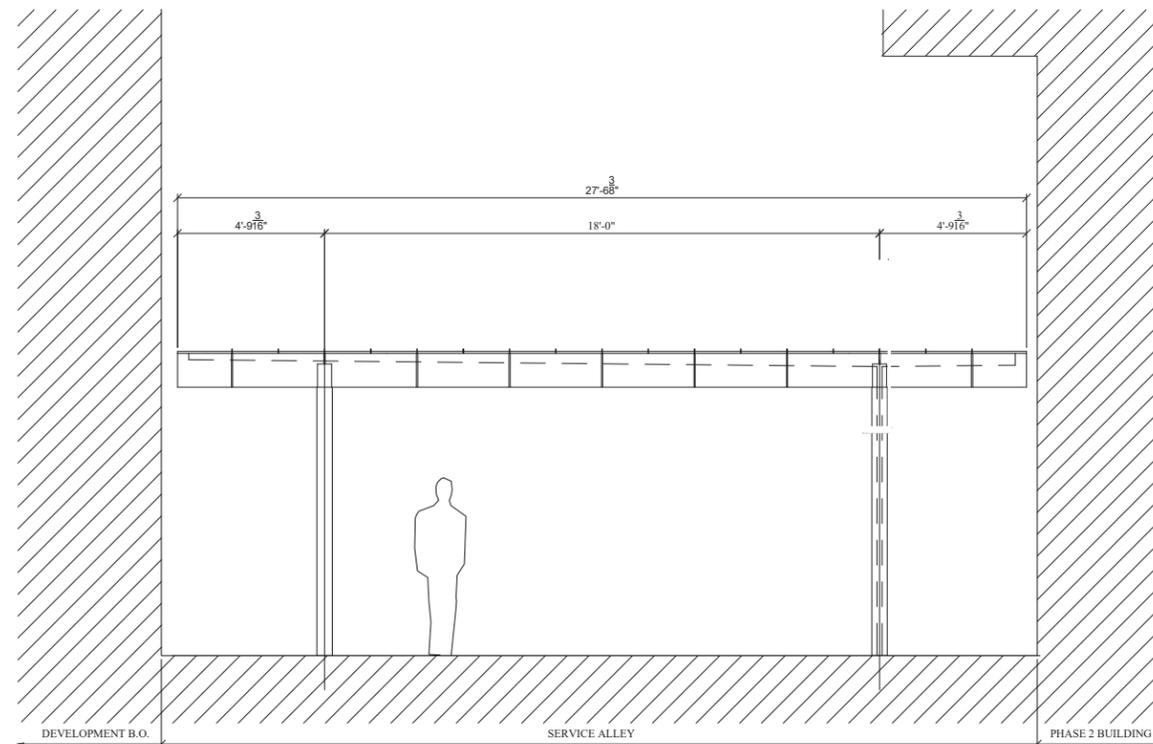
1 PARTIAL ROOF PLAN - Alley Canopy



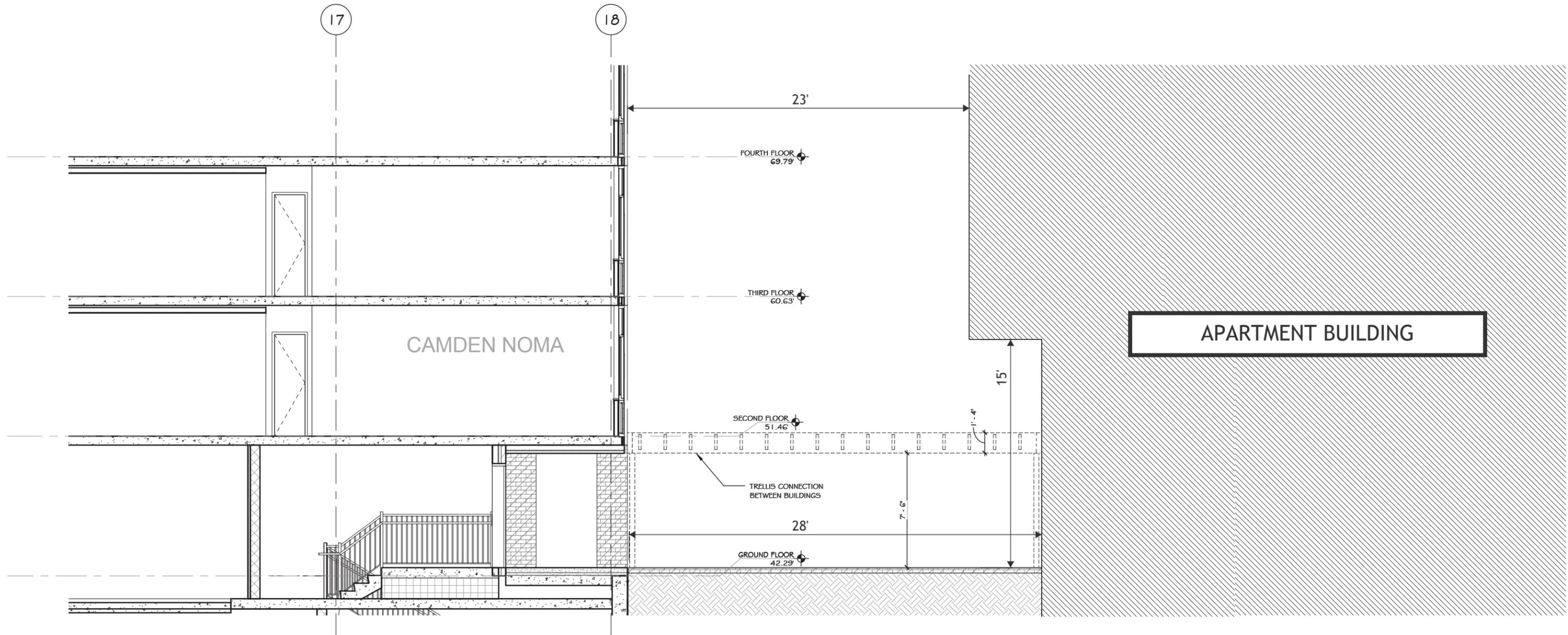
2 PARTIAL ROOF PLAN - Alley Canopy



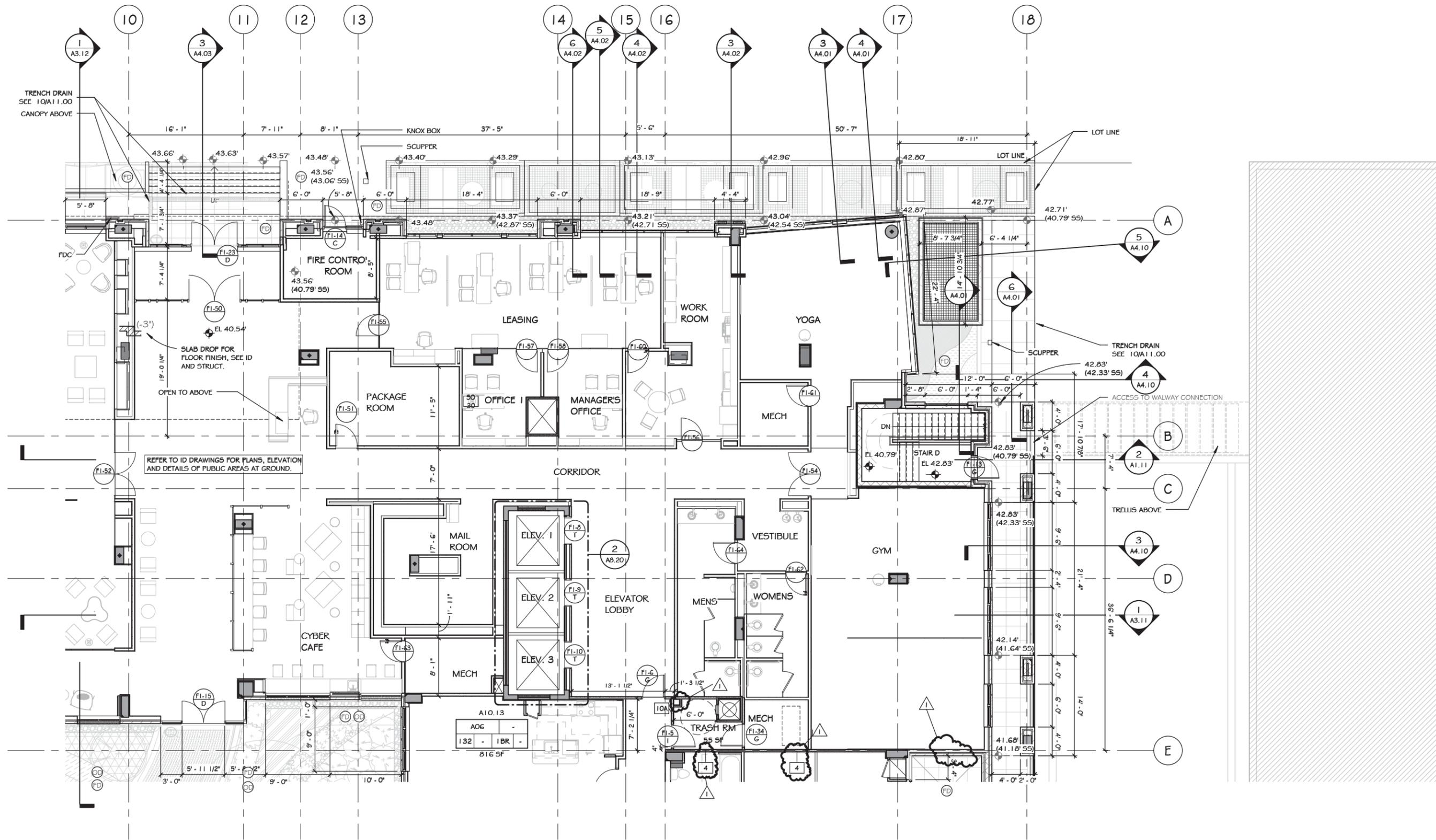
3 WEST ELEVATION - Alley Canopy



4 SOUTH ELEVATION - Alley Canopy



② Building Section



① Ground Floor Plan

CARMEL PARTNERS / 1150 1st STREET, NE / MEANINGFUL CONNECTION

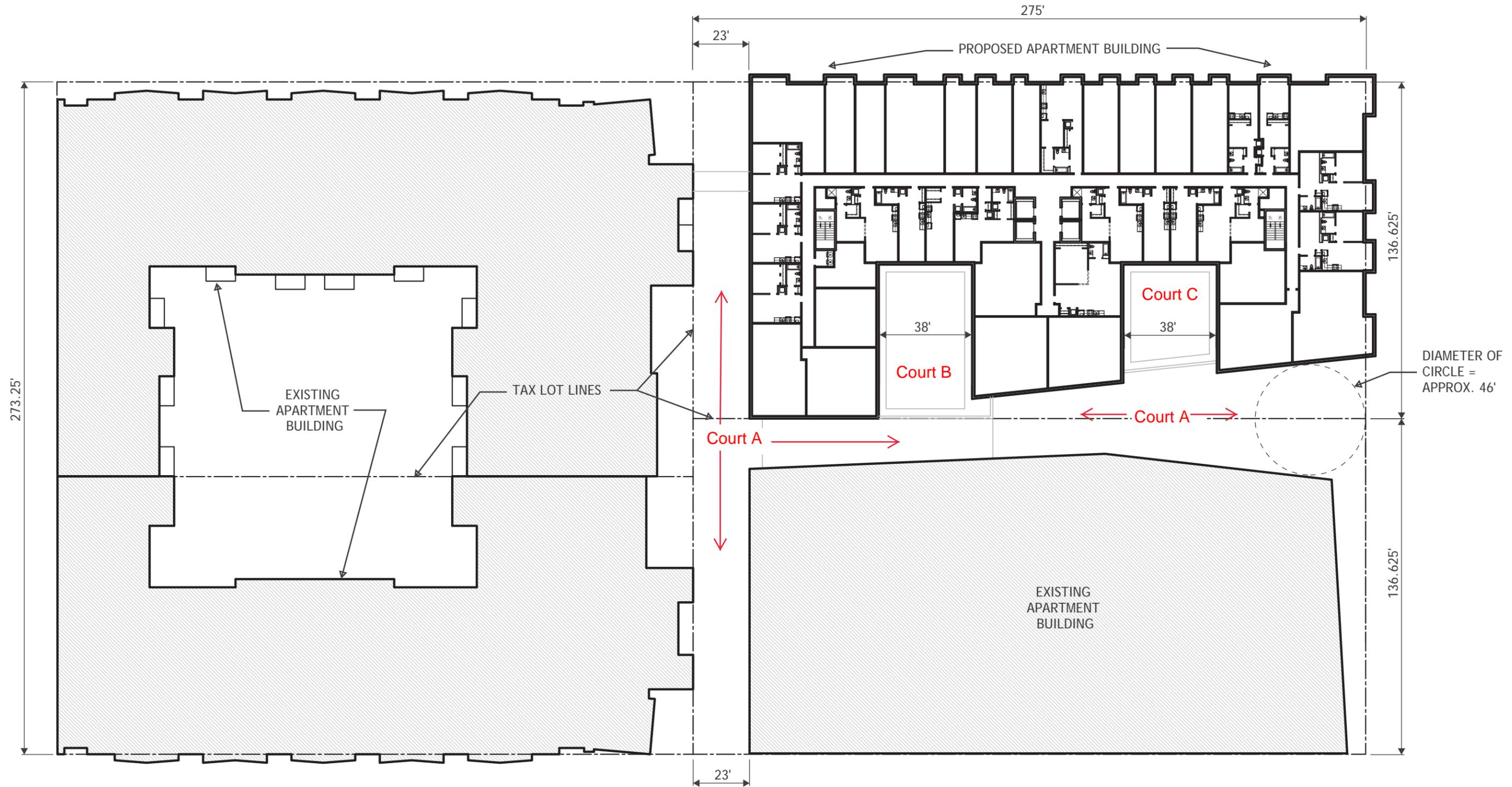
GROUND FLOOR PLAN

01/14/2019



EXHIBIT G

COURT DIAGRAM



LOT 34, SQUARE 673

EXHIBIT H

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
OFFICE OF THE ZONING ADMINISTRATOR



August 30, 2007

Mr. Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP
Suite 100
2099 Pennsylvania Avenue, NW
Washington DC 20006

Re: 1st and L Streets, NE – Square 673

Dear Mr. Sher:

This is to confirm the substance of our discussion on Tuesday, July 17, 2007, with Don Ghent and Beth Miller of Gensler architects, concerning the above referenced property. The property is known as lots 838 and 839 in Square 673 and is located between 1st, L and Pierce Streets, N.E. The property is zoned C-3-C and is also included in the North Capitol Street Receiving Zone for transferable development rights (TDRs).

The property is proposed to be improved with a mixed use building to be built in phases and to constitute a single building under the Zoning Regulations. There will be two office phases on the eastern side of the property, one facing L Street and the other facing Pierce Street, and two residential phases on the western side of the property, one each facing L and Pierce Streets. You updated me as to how the plans had changed from designs which were reviewed with the prior Zoning Administrator in March and June, 2007.

We discussed two alternate versions of the floor plate of the building as shown on the plans, Sheets 1-10, dated July 17, 2007. In the first scenario, the two office phases would be connected at the first floor level through the combined loading dock which would serve the whole office portion of the building. In that scenario, there will be a single "T" shaped court separating the two office phases and separating the office phases from the residential phases. The model and the perspective drawings that you showed me demonstrate that the building has been designed such that the walls taper at angles in three dimensions; the court is clearly not

rectangular. Under the definition of "width of court" (§199.1), for a nonrectangular court, the width is the diameter of the largest circle that may be inscribed in a horizontal plane within the court. Since this building is a mixed use building where the residential and nonresidential uses are located on the same floor, the width of the court is based on the standard for a residential court, or four inches per foot of height of court (§§776.3 and 776.5).

This court is an open court, since it opens onto more than one street. Your drawings showed that a "beaker" of the appropriate width, with circles of the appropriate diameter at each floor level, could fit into the court at the east end adjacent to 1st Street. The court actually projects out in front of the walls of the building at that point but is still within the lot lines. The court meets the requirements of the Regulations as follows:

Minimum width required (§776.3)	4 inches per foot of height
Height of court provided	134 feet
Minimum width required (at lowest level)	$(134 \times 4) / 12 = 44.67$ feet
Minimum width provided (at lowest level)	46 feet, 8 inches

Accordingly it is my view that this court, as you described it and as set forth above, would meet the minimum width requirements of the Zoning Regulations.

In the second scenario, you would be pursuing occupancy of the building through a lease to GSA, with the space to be occupied by the Department of Justice. The RFP has requested contiguous floor plates of at least 40,000 square feet, which you advised would require that the two office phases be connected at each floor for the full height of the building. This connection, which you have proposed to place toward the western end of the building, would interrupt the single "T" shaped court and create a series of courts. There would be two open courts on the west side of the office phases, a lower rectangular court starting at the ground rising to the top of the loading dock wing and an upper nonrectangular court starting at the top of the loading dock wing and rising up to the full height of the building. The width of the lower court would be measured parallel to the open end along L Street and the width of the upper court would be based on the diameter of the circle which can fit at the center of the court. These two courts meet the requirements of the Regulations as follows:

	Court B (as shown on the plans)	Court C (as shown on the plans)
Minimum width required (§776.3)	4 inches per foot of height	4 inches per foot of height
Height of court provided	24 feet, 9.5 inches	109 feet, 2.5 inches
Minimum width required (at lowest level)	15 feet	36.4 feet
Minimum width provided (at lowest level)	28 feet	38 feet

East of the connection, there would be two courts created, a closed court west of the entrance lobby rising only one story in height and an open court in front of and on top of the entry lobby rising to the top of the building. Because of the skew of the walls, both these courts are irregular courts, the width of which is based on the diameter of the circle.

These two courts meet the requirements of the Regulations as follows:

	Court D (as shown on the plans)	Court F (as shown on the plans)
Minimum width required (§776.3)	3 inches per foot of height, but not less than 12 feet	3 inches per foot of height, but not less than 12 feet
Height of court provided	134 feet	14 feet, 1.5 inches
Minimum width required (at lowest level)	33 feet, 6 inches	12 feet
Minimum width provided (at lowest level)	46 feet, 8 inches	34 feet, 11 inches
Minimum area required (§776.2)	n/a	2X the square of the required width of court, but not less than 250 sf
Minimum area required	n/a	12 X 12 X 2 = 288 sf
Minimum area provided	n/a	2,200 sf

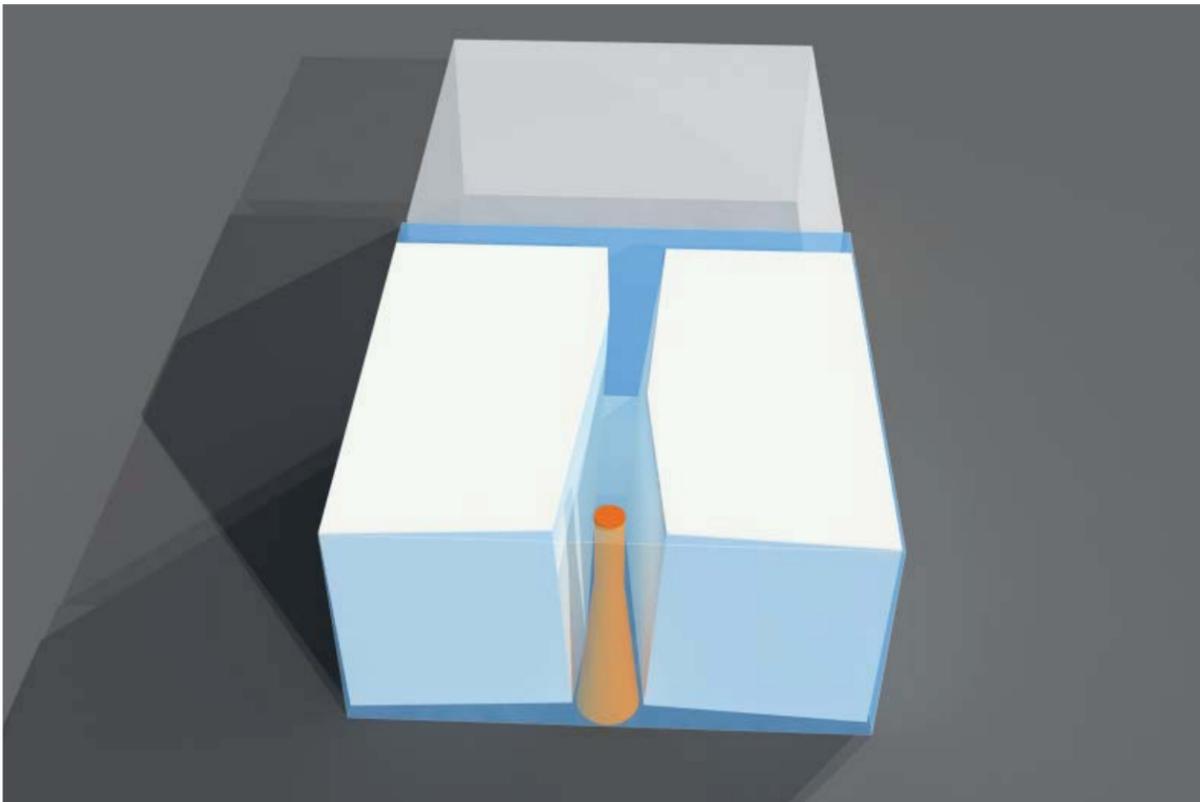
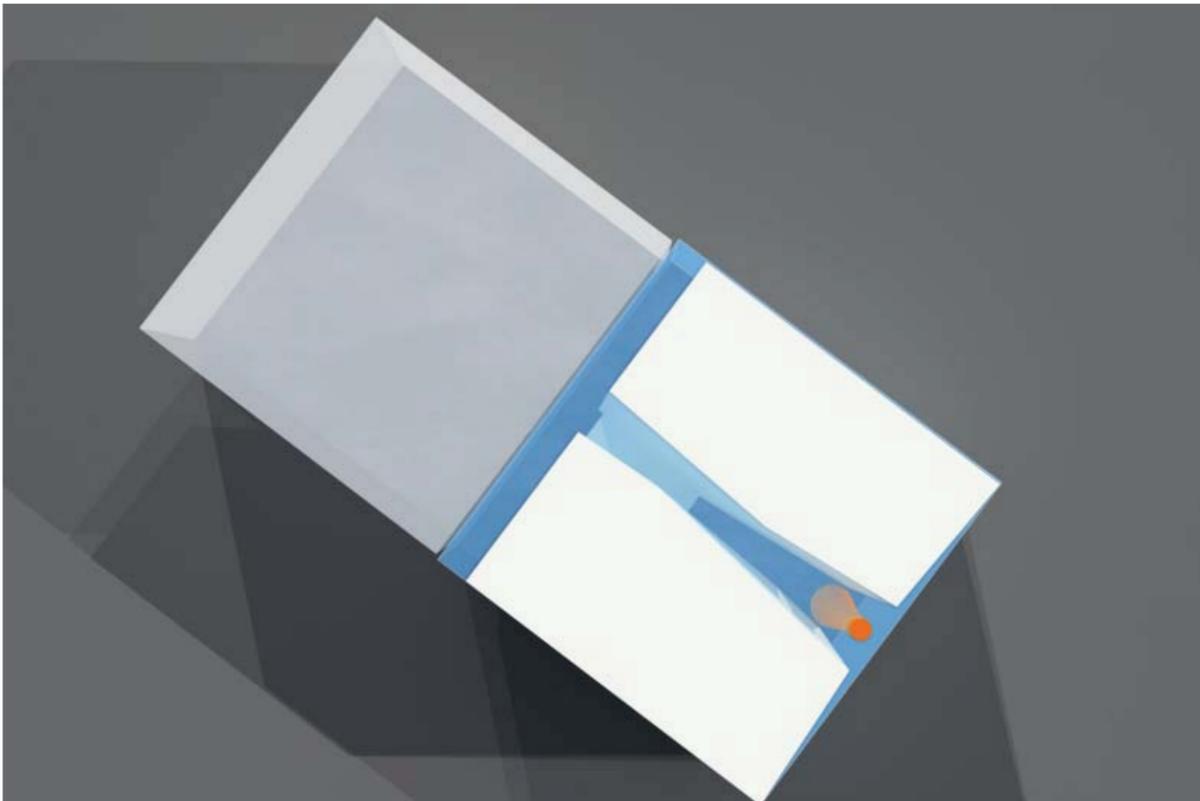
Accordingly it is my view that, for scenario two, with the building connected at all levels above grade, these courts as you described them and as set forth above, would meet the minimum requirements of the Zoning Regulations.

Please let me know if you have any further questions.

Sincerely,

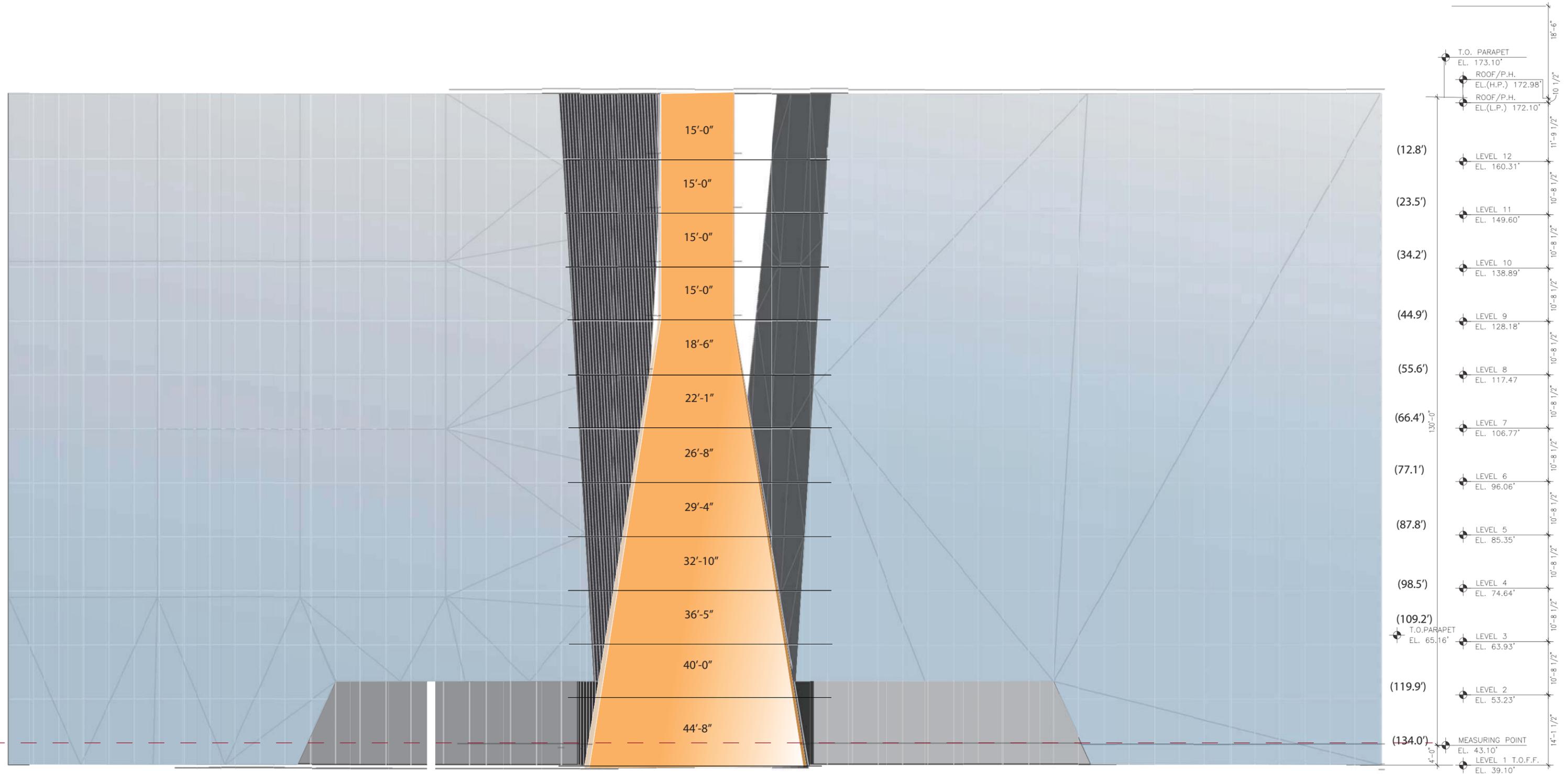


Matt LeGrant
Acting Zoning Administrator



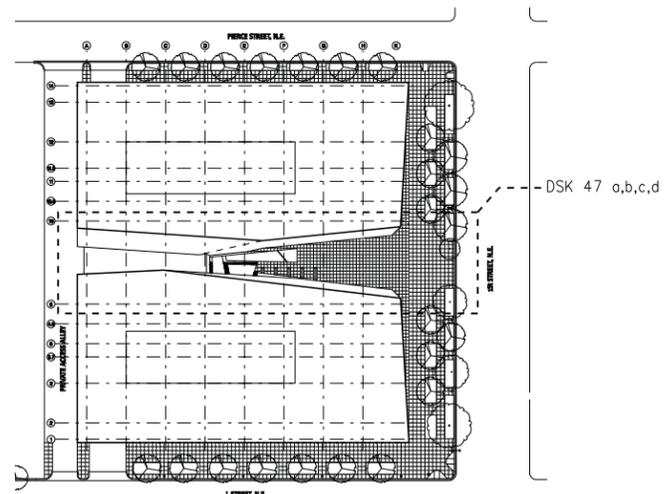
Courtyard Diagram - SINGLE COURT SCHEME

JULY 17 2007

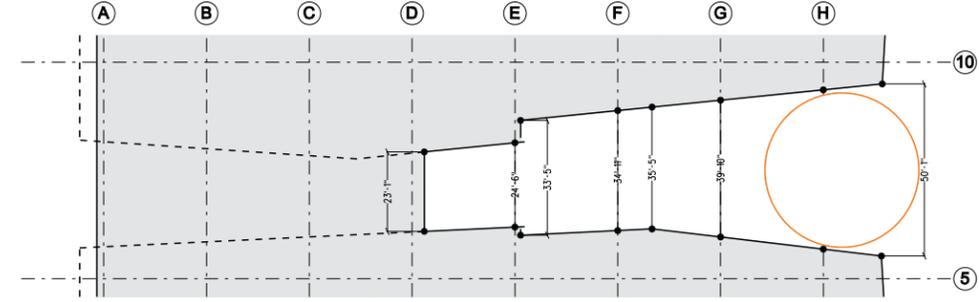


Courtyard Diagram - SINGLE COURT SCHEME EAST ELEVATION

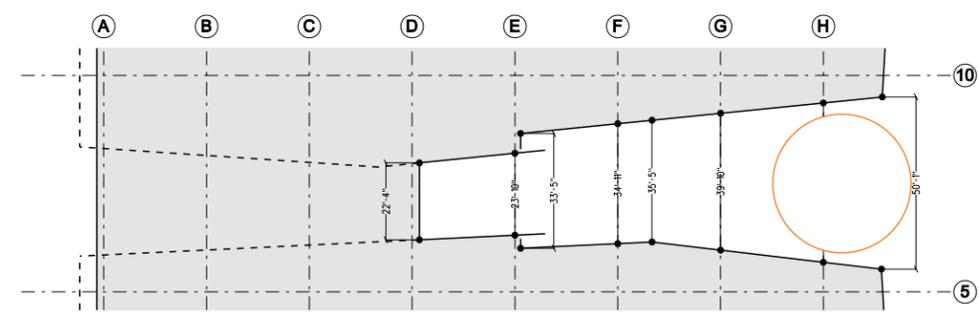
JULY 17 2007



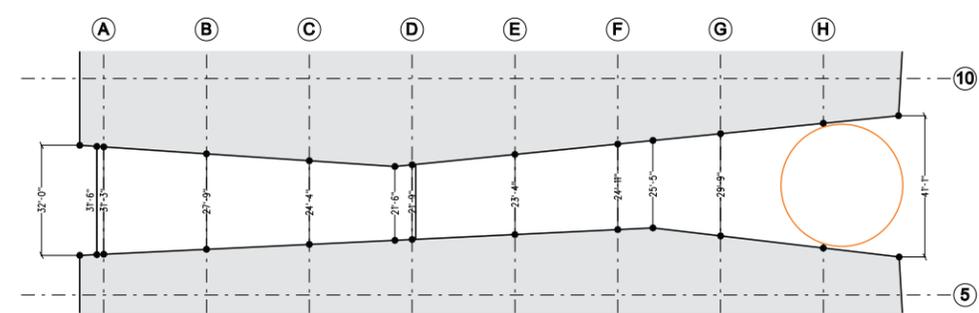
KEY SITE PLAN
NOT TO SCALE



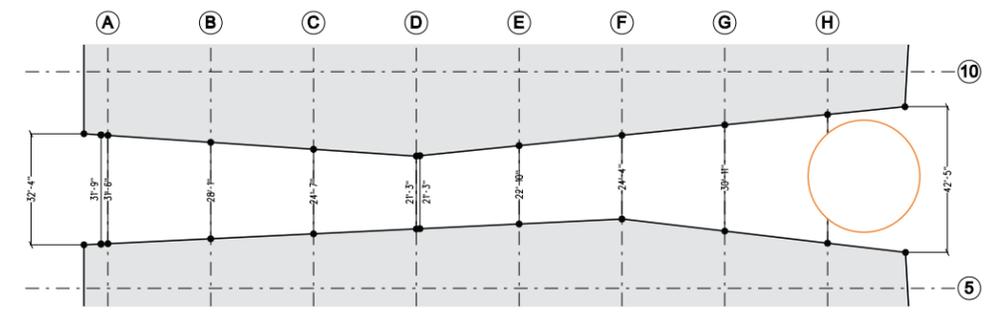
1 PARTIAL PROFILE PLAN - 1st Floor
Scale: 1/32" = 1'-0"



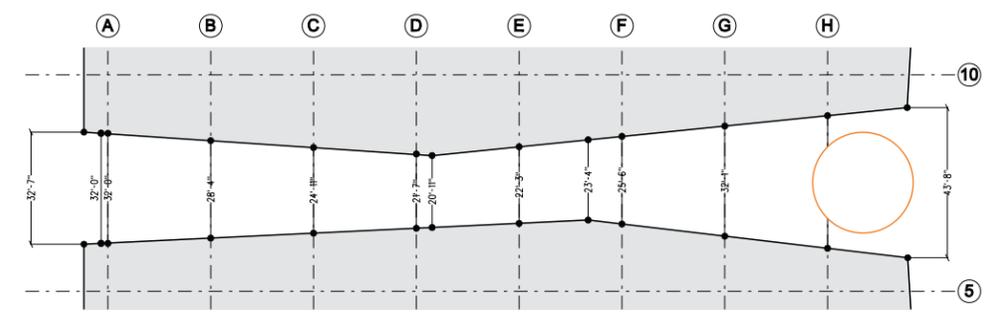
2 PARTIAL PROFILE PLAN - 2nd Floor
Scale: 1/32" = 1'-0"



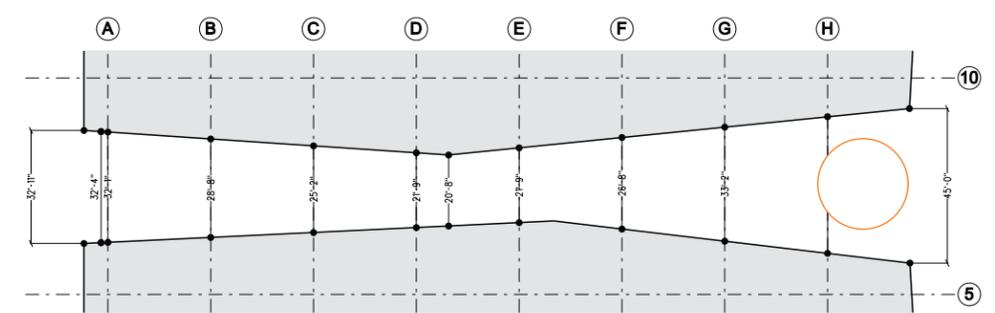
3 PARTIAL PROFILE PLAN - 3rd Floor
Scale: 1/32" = 1'-0"



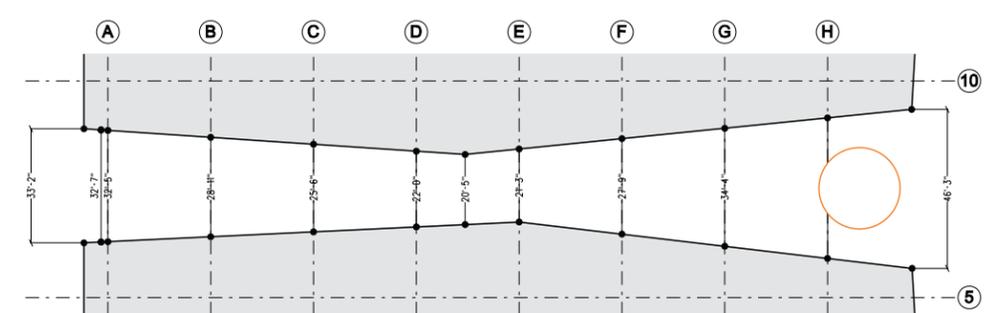
4 PARTIAL PROFILE PLAN - 4th Floor
Scale: 1/32" = 1'-0"



5 PARTIAL PROFILE PLAN - 5th Floor
Scale: 1/32" = 1'-0"



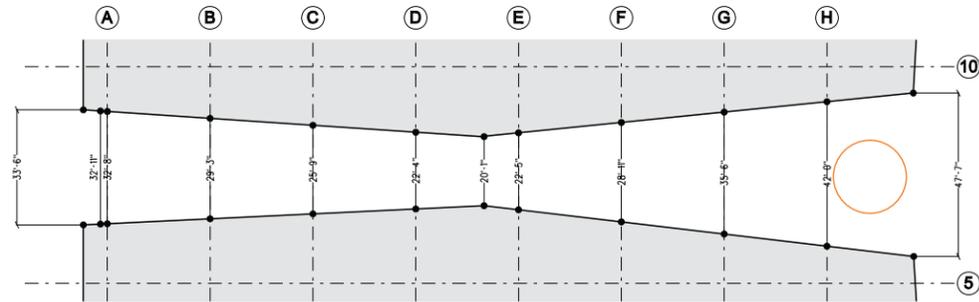
6 PARTIAL PROFILE PLAN - 6th Floor
Scale: 1/32" = 1'-0"



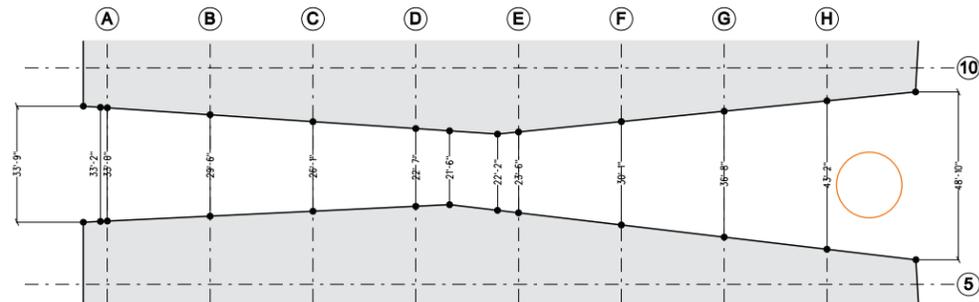
7 PARTIAL PROFILE PLAN - 7th Floor
Scale: 1/32" = 1'-0"

Courtyard Diagram - SINGLE COURT SCHEME FLOORPLANS

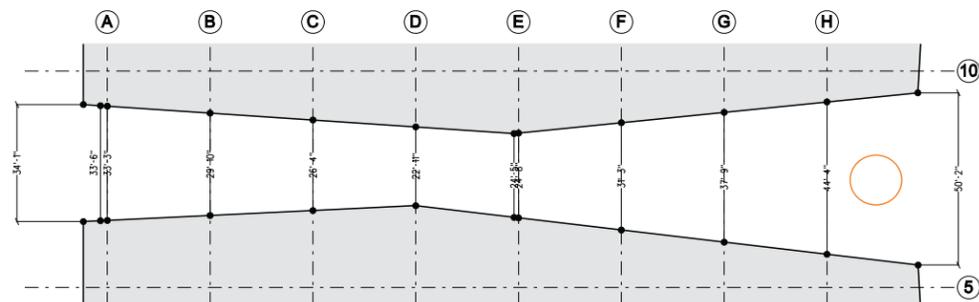
JULY 17 2007



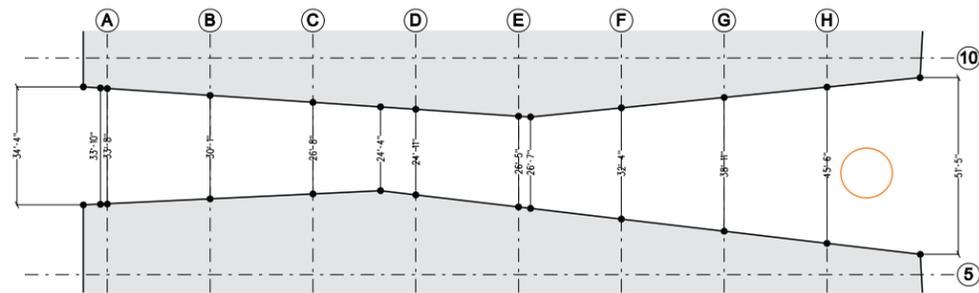
8 PARTIAL PROFILE PLAN - 8th Floor
Scale: 1/32" = 1'-0"



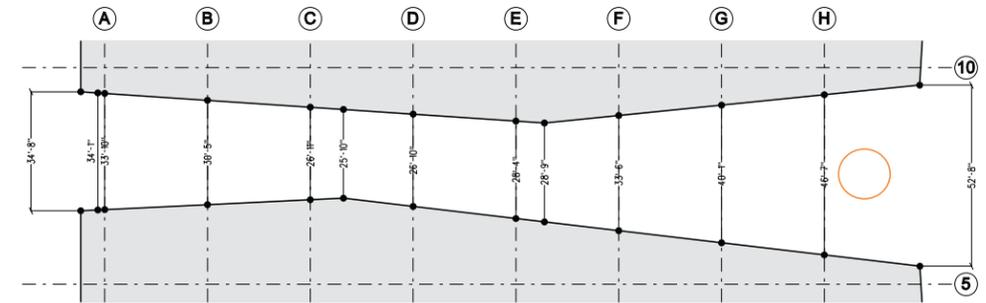
9 PARTIAL PROFILE PLAN - 9th Floor
Scale: 1/32" = 1'-0"



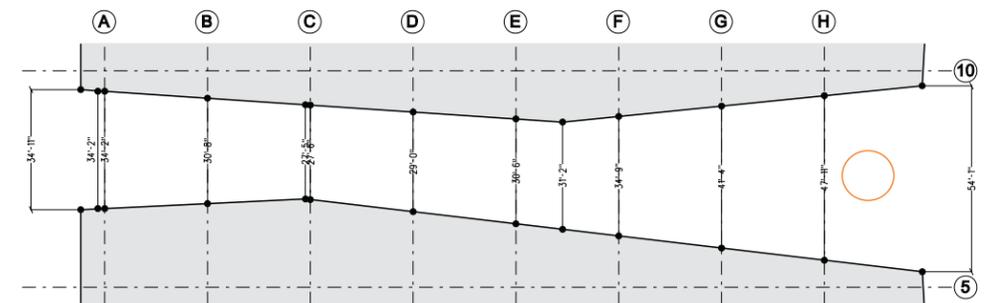
10 PARTIAL PROFILE PLAN - 10th Floor
Scale: 1/32" = 1'-0"



11 PARTIAL PROFILE PLAN - 11th Floor
Scale: 1/32" = 1'-0"



12 PARTIAL PROFILE PLAN - 12th Floor
Scale: 1/32" = 1'-0"



13 PARTIAL PROFILE PLAN - Roof Level
Scale: 1/32" = 1'-0"

EXHIBIT I

EXHIBIT B

Bucci, Mark

From: LeGrant, Matt (DCRA) <matthew.legrant@dc.gov>
Sent: Wednesday, February 18, 2015 10:48 AM
To: Roddy, Christine
Cc: Bucci, Mark; Smith, Will; 'Buddy Woerner'
Subject: RE: 61 Pierce Street, NE

Christine Roddy-

By means of this email I agree with the analysis and summary below, specifically that the described connection would be a 'meaningful connection' that is sufficient to establish the two structures as a single building under the Zoning Regulations.

Please let me know if you have any further questions.

Best Regards,

Matthew Le Grant

Zoning Administrator
Dept of Consumer and Regulatory Affairs
Government of the District of Columbia
1100 4th St SW - Room 3100
Washington, DC 20024
Phone: 202 442-4652
Email: matt.legrant@dc.gov
Web: <http://dcra.dc.gov/service/zoning-dcra>

ProjectDox is DCRA's new paperless, electronic plan submission/review program and is now required for 50,000+ square foot projects. Click [here](#) for more information.

From: Roddy, Christine [<mailto:CRoddy@goulstonstorrs.com>]
Sent: Tuesday, February 17, 2015 5:22 PM
To: LeGrant, Matt (DCRA)
Cc: Bucci, Mark; Smith, Will; 'Buddy Woerner'
Subject: 61 Pierce Street, NE

Matt,

I would like to confirm our conversation on Friday, February 13 with respect to 61 Pierce Street, NE. We discussed whether a connection between the second phase of Camden's residential building and the second phase of Tishman's office building is sufficient to establish the structures as a single building for zoning purposes. In this case, there are four structures located on a single record lot: two residential phases that are owned by Camden and two office phases that are owned each by Tishman Speyer and Rockefeller (Square 673, Lots 846-849). Camden and Rockefeller have both

constructed the southern phases of their buildings. Camden is now moving forward with the northern residential building, which will connect to the northern Tishman building. As shown in the attached, the connection will consist of a trellis between the eastern façade of the Camden building and the western façade of the Tishman building. The trellis will be comprised of painted metal and will have slats that are less than two feet apart and will provide at least 51% coverage. The trellis will connect to a doorway on the future Tishman building and it will connect to a breezeway on the Camden building. The breezeway will then connect to an egress stair on the Camden building. An individual would be able to walk from the egress stair on the Camden building to the doorway of the Tishman building while all the while under cover of either the breezeway or the trellis. Please confirm by return email that this is a meaningful connection that is sufficient to establish the two structures as a single building under the Zoning Regulations.

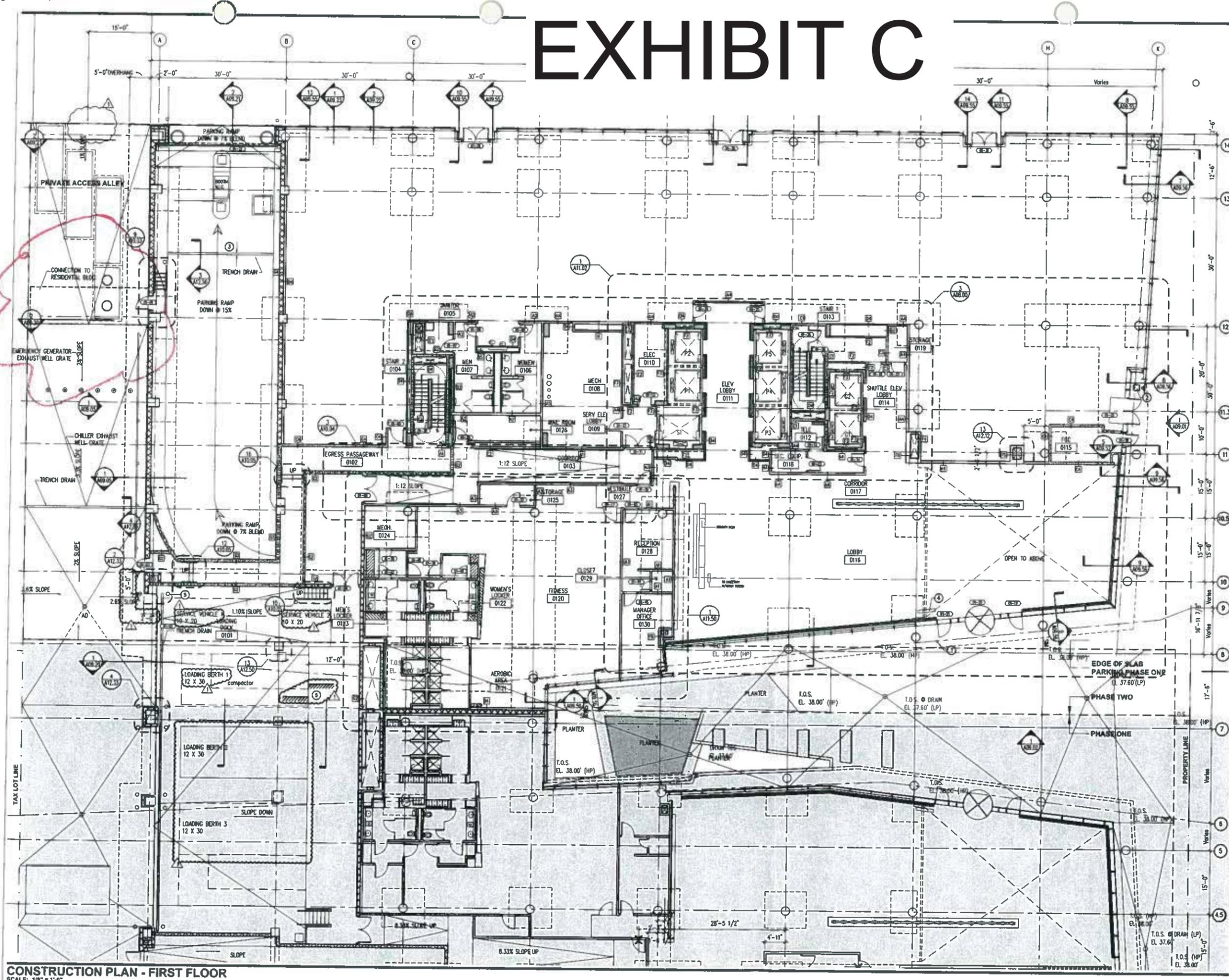
Thank you,
Christine

Christine A. Roddy
Director
Direct (202) 721-1116
Direct Fax (202) 263-0516

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EXHIBIT C



KEY NOTES

- ① DOOR OPERATOR CONTROLLER
RE: DETAIL 18/A12.43
- ② LOCK BOX/GAS VENT
RE: DETAIL 8/A12.43
- ③ EXTENT OF TRAFFIC TOPPING
- ④ FIRE ANNUNCIATOR PANEL AND DOOR OPERATOR CONTROLLER
RE: DETAIL 14/A12.43
- ⑤ 4'-0" HIGH RAISED LOADING DOCK

**Square 673
Phase 2**
NoMA Corridor
Washington, DC

TISHMAHUISPEYER

KRUECK • SEXTON

221 West Erie
Chicago IL 60610
Telephone 312.787.9056
Facsimile 312.787.8415

Genstar

2030 K Street NW
Suite 200
Washington DC 20006
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Facsimile 202.472.8367

Issue	Date & Issue Description	By	Check
01	07/25/2007		
02	09/19/2007		
03	09/24/2007		
04	11/07/2007		
05	01/31/11		
06	02/28/11		
07	04/11/11		
08	05/09/11		
09	06/17/11		
10	03/14/12		

SHEET NOTES

- A. INDICATES DROP PANELS IN STRUCTURAL SLAB ABOVE
- B. SHADED AREA REPRESENTS 3" SLAB DEPRESSION.
- C. 6" CONCRETE EQUIPMENT PADS FINAL LOCATIONS @ MECHANICAL ROOM TO BE COORDINATED W/ SHOP DRAWINGS
- D. PROVIDE CORNER GUARDS AT ALL COLUMNS AT DRIVE AISLES
RE: DET 2/A12.50

Project Name
SQUARE 673

Project Number
09.6266.000

CAD File Name
S:\09.6266.000\CAD\Sheets\A02-01

Description
CONSTRUCTION PLAN - FIRST FLOOR



II - A02.01

CONSTRUCTION PLAN - FIRST FLOOR
SCALE: 1/8" = 1'-0"



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