

OFFICE OF ZONING
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June 1, 2009

VIA HAND DELIVERY

National Capital Planning Commission
401 9th Street, NW
North Lobby, Suite 500
Washington D.C. 20004

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Re: Response to Letters Filed by the Department of Navy and the U.S. Marine Corps
and Regarding Case Nos. 03-12G/03-13G and 03-12H/03-13H

Dear Members of the Commission:

On behalf of Capper/Carrollsborg Venture, LLC, together with the District of Columbia Housing Authority ("DCHA") (collectively the "Applicant"), we are writing to inform you of the Applicant's progress in working with the Department of Navy (the "Navy") and the U.S. Marine Corps (the "Marines") since the Navy and the Marines filed their letters, dated April 1, 2009 and April 3, 2009 respectively, indicating they had concerns regarding the proposed development.

Representatives of the Applicant have met with representatives of both the Navy and the Marines on numerous occasions in the past two months to address the concerns raised in their respective letters. Based upon the concerns raised by the Navy and the Marines during these meetings, the Applicant will request that the Zoning Commission include the following items

ZONING COMMISSION
District of Columbia

CASE NO.

03-12/03-13

EXHIBIT NO.

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either by reference to this letter, or by specifically listing the items below, as conditions of any order approving this application:

1. The Applicant shall incorporate the following measures into the development and operation of the proposed office and residential buildings in Square 882:

- a. At the Navy's sole expense, the Applicant shall permit the Navy to install surveillance cameras on the roof of the office building and to connect such cameras to the Navy's surveillance system. At the Marines sole expense, the Applicant shall permit the Marines to install surveillance cameras on the roof of the residential building and to connect such cameras to the Marines surveillance system. The cameras installed by the Navy shall transmit wirelessly and be monitored by Navy personnel, and the cameras installed by the Marines shall transmit wirelessly and be monitored by Marines' personnel. The location and design of the cameras shall be coordinated with the Applicant and shall not delay preparation of design documents and/or the receipt of permits for the building. Maintenance of the cameras shall be at the sole expense of the Navy and Marines and access for maintenance must be coordinated and approved through the building's property manager, which access will not be unreasonably withheld or delayed.

- b. During construction of the office building, the Applicant shall supply the Navy the contact information for the building's construction supervisors to coordinate and facilitate installation of the Navy's equipment.
- c. During construction of the residential building, the Applicant shall supply the Marines the contact information for the building's construction supervisors to coordinate and facilitate installation of the Marines equipment.
- d. Upon completion of construction of the office building, the Applicant shall provide to the Navy and the Marines contact information for the office building's property manager to facilitate the coordination of efforts to address any security concerns that may arise once the office building is constructed. The Applicant shall also provide written notice to the Navy of the proposed rooftop maintenance schedule once determined.
- e. Upon completion of construction of the residential building, the Applicant shall provide to the Marines the contact information for the building's property manager to facilitate the coordination of efforts to address any security concerns that may arise once the residential building is constructed. The Applicant shall also provide written notice to the Marines of the building's exterior maintenance schedule once determined.

- f. As the office building becomes occupied, the Applicant shall provide to the Navy a list of the tenant organizations (not individuals) from the fourth through eighth floors of the building. The Applicant shall provide an updated list whenever a tenant moves into or out of the office building. This provision shall not be deemed to grant the Navy any right to approve or disapprove of any tenants in the office building.
- g. The Applicant shall provide the Navy and Marines 48-hour notice prior to any large events on the roof of the office building. The Applicant shall limit access to the roof of the office building during specific ceremonial events held at the Washington Navy Yard. The Navy shall provide to the office building's property manager notification of the scheduling of events in a timely manner and, at a minimum, 7 days prior to such event to the building's property manager.
- h. The Applicant and the Marines shall provide notice of, and coordinate the scheduling of, any large events or assemblies in the common courtyard areas of the residential building or on the Marines' grounds.
- i. All notifications listed herein from the Applicant to the Navy and/or Marines are for informational purposes only and do not in any way require any type of approval from the Navy and/or Marines of any item in any notification.

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The Applicant has discussed these proposed conditions with the Navy and Marines, and understand that the conditions adequately address their concerns. Moreover, including these items as conditions in the PUD order make the provisions binding upon the Applicant.

Thank you for your consideration of this matter. The Applicant looks forward to the NCPC's and the Zoning Commission's favorable consideration of this application.

Sincerely,



Wayne S. Quin



Kyrus L. Freeman

cc: A.H. Smith, United States Marine Corps
John A. Sears III, Department of the Navy
D.C. Zoning Commission
Steve Cochran, D.C. Office of Planning

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