

**December 20, 2013**

**NOTICE OF INTENT TO FILE A ZONING APPLICATION**

**Application to the  
District of Columbia Zoning Commission for a  
Modification to an Approved Planned Unit Development**

Capper/Carrollsbury Venture, LLC and the District of Columbia Housing Authority ("DCHA") (collectively the "Applicant"), hereby gives notice of its intent to file an application for a modification to an approved Planned Unit Development ("PUD") with the District of Columbia Zoning Commission (the "Commission") under Chapter 24 of the District of Columbia Zoning Regulations (11 DCMR §2400 *et seq.* (February 2003)). The modification will be filed with the Zoning Commission not less than ten (10) days from the date of this notice. This notice is given pursuant to §2406.7 of the Zoning Regulations.

On March 21, 2003 the Applicant filed an application with the Commission for preliminary and consolidated approval of two PUDs that together comprised one large PUD and related map amendment for property located in the Southeast quadrant of Washington, D.C. and generally bounded by 2<sup>nd</sup> Street on the west, 7<sup>th</sup> Street on the east, Virginia Avenue on the north, and M Street on the south. Consisting of approximately 33 acres of land area, the PUD site initially proposed included all property in Squares 739, 767, 768, 769, 797, 798, 800, 825, 825S, and 882 and portions of Squares 737, 799, 824, and 880.

Pursuant to Zoning Commission Order No. 03-12/03-13, effective October 8, 2004, the Commission granted approval for preliminary and consolidated review of the PUD and related map amendment from the R-5-B District to the CR District. The approved PUD included approximately 1,650 residential units, including 707 public housing replacement units, and approximately 732,000 square feet of commercial space, of which approximately 30,000 square feet would be devoted to first-floor retail uses and the balance would be office space. Approximately 21,000 square feet of additional neighborhood retail space was located in high-rise residential buildings along 2<sup>nd</sup> Street. The approved PUD site had an aggregate density of approximately 2.21 floor area ratio ("FAR").

The original order has been corrected and modified since its issuance. On August 14, 2009, the Commission issued Z.C. Order No. 03-12H/03-13H, approving a modification to the original Order for Squares 739, 767, 768, and 825S.

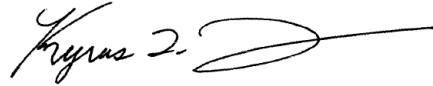
The Applicant is now seeking approval to modify conditions of the first-stage approval related to portions of the overall PUD to be developed in Squares 739, 767, and 768. Specifically, the Applicant seeks to reallocate the location and distribution of the required Annual Contributions Contract ("ACC") units to provide: 99 ACC units in Square 739; 48 ACC units in Square 767; and 59 ACC units in Square 768. The Applicant also proposes to locate 30 ACC units on Lot 77 in Square 737, which is owned by a separate entity and will not be included in the PUD. The requested modification will maintain the approved number of 707 ACC units and does not change any of the zoning parameters for the approved PUD (e.g. use, height, FAR, parking, building design).

The Applicant is Capper/Carrollsborg Venture, LLC and the District of Columbia Housing Authority, and land use counsel is Holland & Knight LLP.

Should you need any additional information regarding this proposed PUD modification application, please contact Kyrus L. Freeman, Esq. of Holland & Knight LLP at (202) 955-3000.

### **Certificate of Notice**

I HEREBY CERTIFY that a *Notice of Intent To File A Zoning Application to the District of Columbia For A Modification to an Approved Planned Unit Development* ("PUD") for Squares 739, 767, and 768 was mailed to Advisory Neighborhood Commission 6D and to all owners of property within 200 feet of the perimeter of the project site on December 20, 2013, at least ten (10) calendar days prior to the filing of the application for a modification to an approved Planned Unit Development as required by the Zoning Regulations of the District of Columbia, 11 DCMR § 2406.7. A copy of the Notice of Intent, a map prepared by the D.C. Office of Tax and Revenue identifying the property owners within 200 feet of the perimeter of the project site, and the list of property owners is attached hereto.

A handwritten signature in black ink, appearing to read "Kyrus L. Freeman", written over a horizontal line.

Kyrus L. Freeman

February 10, 2014

Date

SQUARE 740 LLC C/O AKRIDGE  
601 13<sup>TH</sup> ST NW STE 300N  
WASHINGTON, DC 20005-3870

880 NEW JERSEY AVENUE LLC C/O  
SUITE 1000  
1100 NEW JERSEY AVE, SE  
WASHINGTON, DC 20003-3302

909 NEW JERSEY AVENUE  
ACQUISITION LLC C/O BOZZUTO  
MGMT CO.  
7850 WALKER DR STE 400  
GREENBELT, MD 20770-3240

1021 NEW JERSEY AVE, LLC C/O  
POTOMAC DEVELOPMENT  
900 2<sup>ND</sup> ST, NE - STE 114  
WASHINGTON, DC 20002-3560

DISTRICT OF COLUMBIA HOUSING  
AUTHORITY  
1133 N CAPITOL ST NE  
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NJA GARAGE LLC  
C/O RANGER PROPERTIES LLC  
80 8<sup>TH</sup> AVE - #1010  
NEW YORK, NY 10011-5126

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LLC  
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59 739

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