

**BOARD OF ZONING ADJUSTMENT  
APPLICATION NO. 18723**

**Affidavit of Application in Support of Two-Year Extension of Time**

I, Suman Sorg, being duly sworn, depose and state as follows:

1. I am a Principal at DLR Group, the Managing Member of 2101 Morning Bright LLC (the "Applicant"). The Applicant is the current owner of the property located at 2105 10<sup>th</sup> Street, N.W. (Square 358, Lots 5, 6, and 802) (the "Property").
2. Pursuant to Board of Zoning Adjustment ("BZA") Order No. 18732, which became final on May 23, 2014 and effective on June 2, 2014, the BZA approved the construction of a mixed-use residential building with ground floor retail in the Arts/C-2-B District at the Property (the "Project").
3. We are not proposing to change the exterior of the approved building. In addition, no new areas of relief are requested and the plans are consistent with the relief approved by the previous BZA Order.
4. Since the BZA approved the Order we have worked diligently to obtain financing for the Project and to secure all required governmental agency approvals. As described below, we have worked with various District agencies as part of predevelopment activities and in order to garner support for the Project.
5. On December 5, 2013 we filed our initial application for a Foundation Permit. DCRA notified us that a revised application was needed and the application was subsequently revised and resubmitted on December 20, 2013.
6. DCRA then notified us that an Environmental Impact Screening Form ("EISF") was required for the Project and the required form was submitted on April 21, 2014. On December 12, 2014 the EISF review was completed.
7. Since the permit application was submitted after October 1, 2013 the Project was required to comply with the newly adopted Green Area Ratio ("GAR") requirements. We filed an exemption application on March 20, 2015, but the application was denied and the GAR documents were submitted on April 6, 2015.
8. After nearly two years, on October, 28, 2015 we finally received a Foundation Permit, a copy of which is attached hereto as Exhibit A.
9. On January 7, 2016 we responded to a District of Columbia Request for Proposals ("RFP") for properties. Our RFP response was selected and we worked diligently with the District Department of General Services to negotiate a Letter of Intent ("LOI") for the Property, but a LOI was not executed until February 4, 2016.

10. Now that the LOI is executed, we cannot not secure financing or move forward with construction of the Project until a lease for the Property has been negotiated with the District. We have, however, quickly moved forward with developing detailed construction plans for the Project, but we are awaiting approval from the DC Council before a lease can be executed so that we can proceed with the proposed development.
11. We are committed to moving forward with the approved Project and we ask the Board to approve a two-year extension of the validity of the Order before it expires on May 23, 2016.

I solemnly affirm under the penalty of perjury that the contents of this Affidavit are true and correct to the best of my personal knowledge.



Suman Sorg  
DLR Group

Sole Member of  
2101 Morning Bright LLC

# Department of Consumer and Regulatory Affairs

Permit Operations Division

1100 4th Street SW

Washington DC 20024

Tel. (202) 442 - 4589

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# Fd

## Foundation Permit

THIS PERMIT MUST ALWAYS BE CONSPICUOUSLY DISPLAYED AT THE ADDRESS OF WORK  
UNTIL WORK IS COMPLETED AND APPROVED

PERMIT NO. FD1400041

Date: 10/28/2015

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                           |                                                      |                           |                                |                         |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|------------------------------------------------------|---------------------------|--------------------------------|-------------------------|--------------|
| Address of Project:<br>2105 10TH ST NW                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           | Zone:                                                | Ward:<br>1                | Square:<br>0358                | Suffix:                 | Lot:<br>0802 |
| Description Of Work:<br>Foundation and cellar walls to grade, as per plans.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                           |                                                      |                           |                                |                         |              |
| Approved Uses:<br>Mixed Use (provide description)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                           | Previous Uses:<br>Place of Worship                   |                           |                                | Floors:                 |              |
| Permission is Hereby Granted To:<br>2105 10th Street Nw, Llc, 2101 Morning Bright Llc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                           | Owner Address: 918 U STREET NW, WASHINGTON, DC 20001 |                           |                                | PERMIT FEE:<br>\$715.00 |              |
| Existing No Dwelling Units<br>0                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Existing No Stories:<br>3 | Proposed No Dwelling Units:<br>43                    | Proposed No Stories:<br>6 |                                |                         |              |
| <p>Conditions/ Restrictions:<br/>FOUNDATION TO GRADE ONLY.</p> <p>This permit expires if no construction is started within 1 year or if the last inspection is over 1 year old.</p> <p>All construction done according to the current construction codes and zoning regulations;</p> <p>As a condition precedent to the issuance of this permit, the owner agrees to conform with all conditions set forth herein, and to perform the work authorized hereby in accordance with the approved application and plans on file with the District Government and in accordance with all applicable laws and regulations of the District of Columbia. The District of Columbia has the right to enter upon the property and to inspect all work authorized by this permit and to require any change in construction which may be necessary to ensure compliance with the permit and with all the applicable regulations of the District of Columbia. Work authorized under this Permit must start within one(1) year of the date appearing on this permit or the permit is automatically void. If work is started, any application for partial refund must be made within six months of the date appearing on this permit.</p> |                           |                                                      |                           |                                |                         |              |
| Director:<br>Melinda Bolling                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                           | Permit Clerk:<br>Rashad Jackson                      |                           | Expiration Date:<br>10/28/2016 |                         |              |
| <p>TO REPORT WASTE, FRAUD OR ABUSE BY ANY DC GOVERNMENT OFFICIAL, CALL THE DC INSPECTOR GENERAL AT 1-800-521-1639</p> <p>FOR CONSTRUCTION INSPECTION INQUIRIES CALL (202) 442-9557</p> <p>TO SCHEDULE INSPECTIONS PLEASE CALL (202) 442 9557</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                           |                                                      |                           |                                |                         |              |

Exhibit A

COMBINE CAPTURED WITH ANALOG INSPECTION