

Exhibit 2: Determination Letter

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



July 24, 2013

Norman M. Glasgow, Jr.
Steven E. Sher
Director of Zoning and Land Use Services
Holland & Knight LLP
800 17th Street, N.W. - Suite 1100
Washington, DC 20006

Re: 1731 New Hampshire Avenue, NW - Square 154, Lot 829

Gentlemen:

This is to confirm the substance of our discussions on June 12 and 24, 2013, concerning proposed improvements to the hotel, now known as the Carlyle Suites, located on the southeast side of New Hampshire Avenue between R and S Streets, N.W. The site is known as Lot 829 in Square 154. The property contains approximately 21,341 square feet of land area and is zoned R-5-D in the Dupont Circle (DC) Overlay District.

Pursuant to §350.4(e) of the Zoning Regulations, among the uses permitted as a matter-of-right is a:

Hotel, only in R-5-B, R-5-C, R-5-D, or R-5-E Districts, in existence as of May 16, 1980, with a valid Certificate of Occupancy or a valid application for a building permit; provided, that the gross floor area of the hotel may not be increased and the total area within the hotel devoted to function rooms, exhibit space, and commercial adjuncts may not be increased. An existing hotel may be repaired, renovated, remodeled, or structurally altered;

The hotel has been in existence on the subject property since before May 16, 1980.

The owner of the hotel now proposes to make certain changes to the hotel, as shown on the plans we reviewed; excerpts from those plans are attached to this letter. Those changes are described as follows:

- Space on the basement level would be reconfigured and reallocated slightly. The present allocation of space and the proposed allocation of space are as follows:

	Existing	Proposed
Commercial adjuncts	4,388 sf	4,481 sf

Function room	462 sf	456 sf
Service areas	8,093 sf	8,006 sf
Total	12,943 sf	12,943 sf

- On the ground floor, you propose to expand the restaurant and its kitchen and reduce the meeting rooms. The present allocation of space and the proposed allocation of space are as follows:

	Existing	Proposed
Commercial adjunct	1,807 sf	2,508 sf
Function rooms	5,407 sf	4,619 sf
Guestroom areas (lobby, reception, back-of-house, etc.)	5,926 sf	6,013 sf
Service areas	38 sf	38 sf
Total	13,178 sf	13,178 sf

- There would be no change in uses on the typical hotel guestroom floors.
- The number of rooms would increase from 167 to 196 and the number of beds would decrease from 253 to 247.
- On the roof, you propose to create a passive recreation area and expand the two existing penthouses to include restrooms, storage incidental to the roof deck and a second exit stair. A new elevator would be added in the building and would provide service to the roof level; a lobby for access to the roof deck would be added. The second roof stair and expanded penthouse would be connected to the main portion of the penthouse by a screen wall. The top of all of the new construction would be 18 feet, 6 inches above the roof. The smaller existing penthouse does not meet the current setback requirements. All new construction would be setback 1:1 from all exterior walls except for a portion of the expanded penthouse which is behind the existing penthouse and is further away from the exterior wall than the existing condition.

The changes that are described above all fit within the allowances of §350.4. The existing hotel occupies the entire building, 94,931 square feet of gross floor area. There will be no expansion of the existing building, so the gross floor area will not be increased. The total floor area now devoted to function rooms and commercial adjuncts on the first floor and the below grade level is 12,064 square feet. The total floor area proposed to be devoted to function

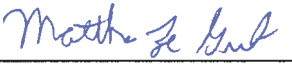
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rooms and commercial adjuncts on the first floor and the below grade level is 12,064 square feet. There is no increase in that space. The hotel will be remodeled as allowed per §350.4(e). The increase in the number of rooms is not precluded by §350.4(e). Notwithstanding the increase in the number of rooms, no additional parking is required because, pursuant to §2120.3, the building is a historic resource contributing to the character of the Dupont Circle Historic District and there is no increase in the gross floor area.

The changes to the roof all meet the requirements of Section 411. All the new roof structures will be of a single height. The two separate roof structures will be connected by a screen wall to make a single enclosure. All the new structures will meet the 1:1 setback except where the existing condition does not already meet the 1:1 setback. Some of the walls will be angled back to meet that condition. A 42 inch high railing is permitted around the perimeter. The areas within the roof structure devoted to incidental roof storage do not exceed 20% of the area of the roof deck.

I therefore conclude that what you have proposed complies with the Zoning Regulations. Please let me know if I may be of further assistance.

Sincerely, 
Matthew Le Grant
Zoning Administrator

Attachment - Plan Set: Carlyle Hotel Renovation

File: Det Let re 1731 New Hampshire Ave NW to Sher 7-24-13