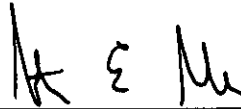


Certificate of Notice

I HEREBY CERTIFY that a copy of the Notice of Intent to File a Zoning Application for a Modification to an approved Planned Unit Development ("PUD") with the District of Columbia Zoning Commission under Chapter 24 for Square 776, Lot 54, was mailed to the owners of all property within 200 feet of the perimeter of the project site and to Advisory Neighborhood Commission 6C, the ANC for the area within which the property is located on April 7, 2009, at least ten (10) calendar days prior to the filing of the application for consolidated approval of a Planned Unit Development and Zoning Map Amendment as required by the Zoning Regulations of the District of Columbia, 11 DCMR §2406.7. A copy of the Notice and the list of owners of property and their addresses is attached hereto.



Steven E. Sher
Director of Zoning and Land Use Services

August 14, 2009

Date

8771260_v1

April 7, 2009

**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**

Steuart H Street, LLC the owner of the subject property (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)) This modification will be filed not less than ten days from the date of this notice This notice is given pursuant to § 2406.7 of the Zoning Regulations

On January 6, 2006, the Applicant filed an application with the Zoning Commission seeking consolidated review and approval of a PUD and related map amendment for property located in the Northeast quadrant of Washington, D.C. in the square bounded by 3rd Street to the west, I Street to the north, 4th Street to the east, and H Street to the south. The subject property includes all of Lot 54 in Square 776 and covers approximately 60,871 square feet of land area. Pursuant to Zoning Commission Order No. 06-01, effective October 12, 2007, the Commission granted consolidated approval of the PUD as well as a map amendment from the C-2 A District to the C-2 B District for a portion of the subject property.

As originally approved, the PUD contemplated the construction of a mixed-use development containing approximately 287,930 square feet of gross floor area. The approved project was to provide approximately 228 apartment units and approximately 46,579 square feet of gross floor area devoted to retail and service uses, including a regional grocery store of approximately 41,000 square feet. The building would be constructed to a maximum height of ninety feet and would have a floor area ratio ("FAR") of 4.8. The proposed project was designed to include a total of approximately 400 parking spaces.

This application seeks approval for a modification in the form of an alternative to the approved PUD such that if the modification is approved, the Applicant may proceed with the original approved plans or with the alternative plans. The requested alternative would eliminate the top two stories of the building, and as reconfigured, the total height would be reduced from 90 feet to 75 feet. As a result, the number of residential units in the proposed project would be reduced from 228 to 208, and the total gross floor area would decrease from 287,930 square feet (4.8 FAR) to approximately 250,380 square feet (4.1 FAR). Finally, the number of off-street parking spaces would be reduced from 399 to 268 to reflect the reduction in residential units in the building and the elimination of one level of the underground garage. In all other respects, the proposed project will be substantially consistent with the conditions set forth in Zoning Commission Order No. 06-01. The gross floor area of the grocery store in the proposed alternative would be approximately 41,000 square feet, which is consistent with what is shown on the approved plans.

The developer for this proposal is Steuart H Street, LLC, the architect for the building is Torti Gallas and Partners, Inc., and land use counsel is Holland & Knight LLP.

Should you need any additional information regarding this proposed PUD application, please contact Norman M. Glasgow, Jr., Esq. of Holland & Knight LLP at (202) 955-3000.

Property List - Properties within a 200_ Radius of Square 776 Lot 54

<u>SSL</u>		PREMISE ADDRESS	OWNERNAME
0808	0005	0410 H St , NE	David Bernhardt Rear 830 7th St , NE Washington, DC 20002-3610
0808	0006	0408 H St , NE	Somerset Investments LLC 225 Pennsylvania Ave , SE Washington, DC 20003-1108
0808	0007	0406 H St , NE	Jenkins Hill Properties c/o J C Formant Real Est 225 Pennsylvania Ave , SE Washington, DC 20003-1108
0808	0010	0400 H St , NE	Darryl Pounds 4613 Lambert Pl Alexandria, VA 22311-4959
0808	0045	0814 5th St , NE	Dexter McKinney Sonja McKinney PO Box 4631 Upper Marlboro, MD 20775-0631
0808	0046	0812 5th St , NE	Sukura Condominium LLC 812 5th St , NE Washington, DC 20002-4322
0808	0069	0813 4th St , NE	District of Columbia 801 N Capitol St , NE Washington DC 20002-4202
0808	0070	0815 4th St , NE	Frank O Johnson 815 4th St , NE Washington, DC 20002-4317
0808	0071	0817 4th St , NE	Anthony Rivera Darluce Rivera 817 4th St , NE Washington, DC 20002-4317

SSL		PREMISE ADDRESS	OWNERNAME
0808	0072	0819 4th St , NE	Roger L Hicks c/o Dominion Bankshares PO Box 291869 Nashville, Tn 37229-1869
0808	0073	0821 4th St , NE	Jeffery Johnson 821 4th St , NE Washington, DC 20002-4317
0808	0074	0823 4th St , NE	US Marketing & Service Company Inc c/o J D Sawyer 10605 Judicial Dr - Ste B2 Fairfax, VA 22030-5167
0808	0075	0825 4th St , NE	Anthony B Woodard 825 4th St , NE Washington, DC 20002-4317
0808	0076	0827 4th St , NE	Craig S Young Jose Ramirez 827 4th St , NE Washington, DC 20002-4317
0808	0077	0829 4th St , NE	Zanneya M Hester 829 4th St , NE Washington, DC 20002-4317
0808	0078	0831 4th St , NE	Derrick Anderson 831 4th St , NE Washington, DC 20002-4317
0808	0079	0833 4th St NE	Vivian W Stewart 833 4th St , NE Washington, DC 20002-4317
0808	0080	0835 4th St NE	Leonard Muldrow 835 4th St , NE Washington, DC 20002-4317
0808	0081	0837 4th St , NE	Christopher Hunter 837 4th St , NE Washington, DC 20002-4317

SSL		PREMISE ADDRESS	OWNERNAME
0808	0082	0839 4th St , NE	Honor Roble 839 4th St , NE Washington, DC 20002-4317
0808	0085	0402 H St , NE	John C Formant Kelly A Formant c/o John C Formant Real Est 225 Pennsylvania Ave , SE Washington DC 20003-1108
0809	0025	0401 H St , NE	Howard Mabry 26 O St , NW Washington, DC 20001 1259
0809	0026	0403 H St , NE	Emes LP 10042 Chartwell Manor Ct Potomac, MD 20854-5441
0809	0027	0405 H St , NE	Faranoff/Steppa Harrpton,LLC Closeleue, LLC - Qualified Ntermdiary 981 Rollins Ave Rockville, MD 20852 5615
0809	0028	0407 H St , NE	Emes LP c/o Stanford Steppa 10042 Chartwell Manor Ct Potomac, MD 20854-5441
0809	0029	0409 H St , NE	Wayne Turner 409 H St , NE Washington, DC 20002-4335
0809	0030	0411 H St , NE	T K Louie J L Lee 411 H St , NE Washington, DC 20002-4335
0750	0151	0220 I St , NE	220 I Street , NE LLC c/o Key Commercial Mtg 911 Main St - Ste 1500 Kansas City, MO 64105-5344
0751	0801	211 I St	Abdo H Street LLC 1404 14th St , NW Fl 2 Washington, DC 20005 3779

SSL		PREMISE ADDRESS	OWNERNAME
0752	0045	0731 - 0733 2nd St , NE Unit C2b	Station Townhouses LLC c/o Louis Dreyfus Property 1101 New York Ave , NW # 909 Washington, DC 20005-4269
0752	0832	0734 3rd St , NE	Leon Kung Kaelie E Kung 734 3rd St , NE Washington, DC 20002-4312
0752	0833	0732 3rd St , NE	Drury J Tallant 732 3rd St , NE Washington, DC 20002-4312
0777	0024	0319 H St , NE	Union East LLC c/o Telesis Corporation 1101 30th St , NW Fl 4 Washington, DC 20007-3708
0777	0025	0321 H St , NE	
0777	0026	0323 H St , NE	
0777	0027	0325 H St , NE	
0777	0028	0327 H St , NE	
0777	0814	0315 H St , NE	
0777	0815	0317 H St , NE	
0777	0034	0732 4th St , NE	Robert O Ryan 11060 Stonebrook Dr Manassas, VA 20112-3086
0777	0035	0730 4th St , NE	Todd Davis Constance H Davis 730 4th St , NE Washington, DC 20002-4316
0777	0048	0329 H St , NE	H Street Community Development Corp Inc 501 H St , NE Washington, DC 20002-4337
0777	0049	0331 H St , NE	331 H Street LLC c/o James R Galvagna 7100 Brookville Rd Chevy Chase, MD 20815-4062
0777	0050	0333 H St , NE	Andrea J Cannon 12502 Haxall Ct Ft Washington, MD 20744-7042

SSL		PREMISE ADDRESS	OWNER NAME
0777	0051	0335 H St , NE	Fathi & Associates Inc 16703 Cyrus St Gaithersburg, MD 20877-1273
0777	0052	0337 H St , NE	Lois A Jones 337 H St NE Washington, DC 20002-4333
0777	0087	0303 H St , NE	Gerald Yun
0777	0807	0301 H St , NE	13405 Poplar Woods Ct
0777	0820	H St , NE	Chantilly, VA 20151-2537
0777	0811	0309 - 0311 H St , NE	Richard L Boyce 611 5th St , NE Washington, DC 20002-5201
0777	0812	H St , NE	Richard Boyce
0777	0813	0313 H St , NE	Nancy Boyce
0777	0819	NE	611 5th St , NE Washington, DC 20002-5201
0777	0843	0767 3rd St , NE	Susan L Anderson 767 3rd St , NE Washington, DC 20002-4311
0777	0844	0769 3rd St , NE	Hillco Investment Corporation PO Box 34208 Bethesda, MD 20827-0208
0777	0845	0771 3rd St , NE	Robert A Foster 771 3rd St , NE Washington, DC 20002-4311
0777	0853	3rd St , NE	Capitol Place Home Owners c/o Robert A Foster 771 3rd St , NE Washington, DC 20002-4311
0775	0003	0901 3rd St , NE	World Vision Properties LLC
0775	0004	I St , NE	c/o Key Commercial Mtg 911 Main St - Ste 1500 Kansas City, MO 64105-5344

SSL		PREMISE ADDRESS	OWNERNAME
0776	0012	0812 4th St , NE	Thomas S Daire 812 4th St , NE Washington, DC 20002 4318
0776	0013	0814 4th St , NE	Mackie McCrea Mae McCrea 814 4th St , NE Washington, DC 20002-4318
0776	0014	0816 4th St , NE	G J Purdy M C Purdy 816 4th St , NE Washington, DC 20002-4318
0776	0015	0818 4th St , NE	Randolph R Fitzgerald 10211 Chautauqua Ave Lanham, MD 20706-2038
0776	0018	NE	John C Formant Real Estate Inc
0776	0019	0327 I St , NE	c/o John C Formant Real Est
0776	0807	I St , NE	225 Pennsylvania Ave , SE
0776	0808	I St , NE	Washington, DC 20003-1108
0776	0020	0325 I St , NE	John C Formant Kelly A Formant 225 Penn Ave , SE Washington, DC 20003-1108
0776	0809	I St , NE	Format John C 225 Pennsylvania Ave , SE Washington, DC 20003-1108
0776	0021	0323 I St , NE	Johanna Lunsford 323 I St , NE Washington, DC 20002-4341
0776	0022	0321 I St , NE	Audrey J Thomas 321 I St , NE Washington, DC 20002-4341
0776	0023	0319 I St , NE	Deutsche Bank National Trust Company As Trustee For Morgan Stanley 1761 E Saint Andrew Pl Santa Ana, CA 92705 4934

SSL		PREMISE ADDRESS	OWNER NAME
0776	0024	0317 I St , NE	Craig S Young 3608 Anton Ter District Hts, MD 20747-3900
0776	0041	0829 3rd St , NE	Aryeh Spero 1 Cornelia Ave Great Neck, NY 11024-1813
0776	0042	0831 3rd St , NE	Luvenia E Winston 831 3rd St , NE Washington, DC 20002-4313
0776	0043	0833 3rd St , NE	Charlie Givens Alice L Givens 833 3rd St , NE Washington, DC 20002-4313
0776	0044	0835 3rd St , NE	David C Kalinowski Jennifer Goetz 11331 Waples Mill Rd Oakton, VA 22124-2002
0776	0045	0837 3rd St , NE	Wanda Gordon 837 3rd St , NE Washington, DC 20002-4313
0776	0046	0307 I St , NE	Ethel M Stanley 307 I St , NE Washington, DC 20002-4341
0776	0047	0309 I St , NE	Francisco Barbosa 309 I St NE Washington, DC 20002-4341
0776	0048	0311 I St , NE	Dawn Allison Thomas 311 I St , NE Washington, DC 20002-4341
0776	0049	0313 I St , NE	Roland E Jones Marion Jones 313 Eye St , NE Washington, DC 20002-4341

SSL		PREMISE ADDRESS	OWNER NAME
0776	0050	I St NE	District of Columbia 441 4th St , NW # 1060n Washington, DC 20001-2714
0776	0810	0822 4th St , NE	Kim, James J Kim Grace 3101 Merrydale Dr Upper Marlboro, MD 20772-7731
0776	0811	0820 4th St , NE	Carolyn R Mcdaniel 820 4th St , NE Washington, DC 20002-4318
0776	0812	0810 4th St , NE	Panfilo Diaz Esperanza Diaz 810 4th St , NE Washington, DC 20002-4318
0776	0813	0808 4th St , NE	Dlj Mortgage Capital Inc 3815 S West Temple Salt Lake Ct y, UT 84115-4412
0777	0881	3rd St , NE	Susan L Anderson 767 3rd St , NE Washington, DC 20002-4311
0751	0803	225 I St	Broadway Capitol LLC 80 Broad St 29th Fl New York, NY 10094-0001
0775	0050	0318 I St	Broadway I Associates LLC Broadway 1 Tic Associates LLC 80 Broad St New York, NY 10004-2209

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