

Certificate of Notice

I HEREBY CERTIFY that a copy of the Notice of Intent to File a Zoning Application for a Planned Unit Development and related Amendment to the Zoning Map of the District of Columbia for Square 4268, Lots 2, 5, 6, 8, 10, 11, 12, 14, 800, 801, 804, 811, and 815 and Parcels 153/26, 153/83, 153/105, 153/113, 153/123, 153/150, 153/152, and 153/153, and a portion of public alley to be closed, was mailed to Advisory Neighborhood Commission 5B and to the owners of all property within 200 feet of the perimeter of the project site on March 17, 2009, at least ten (10) calendar days prior to the filing of this application for a Planned Unit Development as required by the Zoning Regulations of the District of Columbia, 11 DCMR (Zoning) §§ 2406.7-2406.10.

A copy of the notice is attached to this Certificate.


David Avitabile

Pillsbury Winthrop Shaw Pittman LLP

NOTICE OF INTENT TO FILE A ZONING APPLICATION

Application to the District of Columbia Zoning Commission For a Planned Unit Development and Zoning Map Amendment

March 17, 2009

Abdo New York, LLC ("**Applicant**") gives notice of its intent to file an application for a Planned Unit Development ("**PUD**") and related Zoning Map Amendment for the property known as Lots 2, 5, 6, 8, 10, 11, 12, 14, 800, 801, 804, 811, and 815 and Parcels 153/26, 153/83, 153/105, 153/113, 153/123, 153/150, 153/152, and 153/153, and a portion of a public alley to be closed, in Square 4268 ("**Subject Property**"). The Subject Property is a triangular tract bounded by New York Avenue, NE on the north, Montana Avenue, NE on the southwest, and Bladensburg Road, NE on the southeast. The Subject Property is used for a variety of commercial uses. The Subject Property is located in the Arboretum neighborhood of Ward 5 and consists of approximately 697,874 square feet, or approximately 16 acres, of land area, not including the portion of the proposed alley to be closed. The Subject Property is currently located in the C-M-1 Zone District and is located in the Mixed Use Medium Density Residential / Moderate Density Commercial category on the District of Columbia Future Land Use Map. The Applicant proposes to rezone the Subject Property to the C-3-A Zone District.

The Applicant proposes the development of a mixed-use, predominantly residential project with approximately 1350 – 1420 new residential units and approximately 69,883 square feet of ground floor retail along the length of New York Avenue. The project will consist of a total of ten buildings, with three 6-story buildings with ground floor retail along New York Avenue and seven additional 5-story residential buildings on the rest of the Property ("**Project**"). The Project will include a variety of residential unit types, and the retail uses will feature neighborhood-serving retail. The Project will create an active and attractive streetscape along the revitalized New York Avenue "Northeast Gateway" to the District.

The total gross floor area included in the Project is approximately 1,715,126 square feet for a total Floor Area Ratio ("**FAR**") of approximately 2.46 and a lot occupancy of approximately 52 – 53%. The Project will include a combination of above and below-grade parking structures and on-street surface parking that provide approximately 1052 parking spaces for residents and approximately 220 parking spaces for retail users. Vehicular entry will be off New York Avenue, Montana Avenue and Bladensburg Road onto three new interior privately-constructed streets that converge at the center of the Property. The Project will also include a privately-constructed service road along the south side of New York Avenue. Finally, the Project features a total of approximately 5.65 acres of open space.

The Applicant and its development team are available to discuss the proposed development with all interested groups and individuals, and intends to engage the community and Advisory Neighborhood Commission ("**ANC**") 5B regarding the PUD project. This application will be filed with the District of Columbia Zoning Commission

under Chapter 24 of the District of Columbia Zoning Regulations, 11 DCMR (February 2003, as amended), not less than ten (10) days from the date of this Notice which is given pursuant to Section 2406.7 of the Zoning Regulations.

The project architects are Maurice Walters, Architect, PC and Torti Gallas and Partners. The land use counsel is Pillsbury Winthrop Shaw Pittman LLP. If you require additional information regarding the proposed PUD and Zoning Map Amendment application, please contact Allison Prince (202-663-8853).