GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

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September 26, 2000

Norman M. Glasgow, Jr., Esquire
Wilkes and Artis, Chartered
1666 K Street, N.W., Suite 300
Washington, D.C. 20006

Peter J. Waldron, Chairperson
Advisory Neighborhood Commission 6B
921 Pennsylvania Avenue, S.E.
Washington, D.C. 20003

Re: BZA Application No. 16601
NJA Development Partners, LP

Dear Gentlemen:

Please find enclosed the list of conditions for the subject Board of Zoning Adjustment (BZA) application, approved by the Board at the special public meeting on September 26, 2000. The Board approved the application, but moved to leave the record open for 30-calendar days from the date of this letter, to allow the applicant and the affected ANC the opportunity to comment on the conditions. If there is no written response within the indicated 30 calendar days, an order will be finalized and issued with the conditions as recorded at the enclosed document titled "Proposed Conditions for BZA Application No. 16601".

If there is a need for additional information, you may call Paul Hart at (202) 727-0348.

SINCERELY,

JERRILY R. KRESS, FAIA
Director
Office of Zoning

BZA
Case No. 16601
Exhibit No. 40

16601/LJP

Board of Zoning Adjustment
District of Columbia
CASE NO.16601
EXHIBIT NO.40

GOVERNMENT OF THE DISTRICT OF COLUMBIA
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PROPOSED CONDITIONS FOR BZA APPLICATION NO. 16601
September 26, 2000

The Applicant shall:

1. Clarify that the location of the emergency egress stair for the hotel is at the location shown in Appendix C, Sheet 4, of the plan submitted in the record;

2. Design the roof structures as if they were "towers" above the main building; i.e., face all sides of the roof structures with materials of the same type and/or appearance as those of the principal building facades; the footprint of the structures shall be approximately the same size; the height of three roof structures shall be a uniform 18'6" per the plans and the fourth roof structure over the stair tower shall be a lower height; and there shall be a clear termination to the top of the roof structures, consistent with the detailing of the top of the principal building facades;

3. Meet the design guidelines specified in the plan for all structures;

4. Set back in a 1:1 ratio the roof structure that is now flush with the wall at the property line shared with Lot 19;

5. Refine the design of the blank wall adjacent to Lot 19 so that it incorporates patterns and, on the upper floors, where permitted by the Building Code, windows, that reflect the rhythms, fenestration, and materials of the proposed apartment building façade on 2nd Street;

6. Reserve at least 20% of the total number of apartment units for affordable housing for a minimum of 20 years subject to the terms and conditions of an agreement with DCHFA and its bond financing;

7. Allow rear access to Lot 19 for so long as the property remains unincorporated into the proposed hotel and apartment project as part of the alley closing process;

8. Landscape at least 80% of the 8,643 square foot courtyard and include active recreational uses in at least 30% of the courtyard area;

9. Provide a secure entrance and exit for apartment residents on the 2nd Street frontage or from the courtyard to 2nd Street;

BZA

10. Reserve the pool and adjacent meeting room/party room for activities catering exclusively to residents of the apartment building for at least six hours per month, at no cost;

11. Provide assurances that the residential/apartment portion of the project shall satisfy the requirements for an apartment house use as set forth in the Zoning Regulations and shall not be used as an inn or an expansion of the hotel for so long as the TDR variances granted pursuant to Section 1709 are utilized;

12. Enter into a First Source Employment Agreement with the Department of Employment Services in connection with the development of the hotel portion of the project. The applicant shall report quarterly to ANC 6B as to job availability during the construction phase for the entire project; and

13. Plan the addition of any antennas, towers, satellite dishes, or other roof structures in consultation with ANC 6B.