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MICHAEL A. CAIN

MEMBER D.C. AND MARYLAND BARS

WRITER'S DIRECT EMAIL: MAC@HAMILTONLAW.COM

February 4, 2003

By Hand

Mr Geoffrey H. Griffis
Chairperson
District of Columbia Board of
Zoning Adjustment
Room 210
441-4th Street, N.W.
Washington, D.C. 20001

RECEIVED
D.C. OFFICE OF ZONING
2003 FEB -4 PM 2:13

Re: Application of NEST and Totah Venture, LLC
BZA Case No. 16966

Dear Mr. Griffis:

NEST and Totah Venture, LLC, applicant in the above-referenced case, submits this letter and the attachments hereto as its Post-hearing Submission requested by the Board:

(1) Revised Zoning Administrator Referral Memorandum by Faye Ogunneye, Chief, Zoning Review Branch, Office of the Zoning Administrator, dated February 3, 2003, stating that the project proposed by the Applicant requires approval of (a) a variance from Section 774.1 of the Zoning Regulations (minimum rear yard setback), and (b) a special exception pursuant to Section 411.11 of the Zoning Regulations (minimum setback requirements for a roof structure) (Tab A);

(2) Applicant's Proposed Decision and Order (Tab B); and

(3) Revised Site plan, proposed building plans and elevations consistent with Revised Zoning Administrator Referral Memorandum (Tab C). The Zoning Administrator asked the project architects to provide additional dimensions to facilitate FAR review. The roof structure east and west setbacks are each shown as 18.5 feet; no other changes were made to the plans as previously submitted.

Upon review of the Board's Exhibit Log, it did not appear that certain exhibits submitted by the Applicant at the public hearing have been docketed in the record. Accordingly, additional copies of the following items are submitted herewith:

BZA
Case No. 16966
Exhibit No. 36

Board of Zoning Adjustment
District of Columbia
CASE NO.16966
EXHIBIT NO.36

(4) letter from Robert W. Kelly, Zoning Administrator, dated January 10, 2003 (Tab D);

(5) photographs (2) showing the view east from McPherson Square (responsive to inquiry from Mr. David Murphy, National Park Service) (Tab E);

(6) photographs (11) showing existing alley conditions (Tab F); and

(7) drawings (3) illustrating the effect of the proposed building on light and air in the alley area (Tab G).

Sincerely,

HAMILTON AND HAMILTON, LLP

Michael A. Cain

MAC:rhs
Enclosures

cc: Arthur Jackson, D.C. Office of Planning (w/attachments)
Ms. Helen Kramer, Chairperson ANC 2F (w/attachments)
Martin P. Sullivan, Esq. (w/attachments)
Ms. Nicole Totah



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

February 3, 2003

MEMORANDUM

TO: Board of Zoning Adjustment

FROM: Faye Ogunneye, Chief
Zoning Review Branch

SUBJECT: **Revision to a Proposed Construction of an Office/Retail Building with an Accessory Parking Garage located at premises 1430 K Street, N.W., Lot(s) 808 and 823, in Square 218, Zoned C-4**

Review of plans for the proposed construction of a retail/office structure with accessory parking at the above subject premises indicates that the Board of Zoning Adjustment approval is required as follows:

1. Variance from Section 774.1 the minimum rear yard setback requirements for a structure in the C-4 Zone. (Section 3103.2)

2. Special exception pursuant to Section 411.11 and 770.6(b) the minimum setback requirements for a roof structure to setback an equal distance from all sides of a structure as its height in the C-4 Zone. (Section 3104.1)

RWK/ee

NOTES AND COMPUTATIONS

ADDRESS: **1430 K Street, N.W.** LOT(S): **808 and 823** SQUARE: **218**

ZONED: **C-4**

	REQUIRED	ALLOWED	PROVIDED	VARIANCE
PENTHOUSE	Setback	18'-6" min.	South Side 6'-0"	12'-6" (67.56%)
LOT AREA	N/P		80'7,196.4 Sq. Ft.	
LOT OCCUPANCY (100%)		100%	100% (98%)	
FLOOR AREA RATIO ()		71,964 Sq. Ft.	71,934.95 Sq. Ft.	
PARKING SPACES		N/A	36	
LOADING BERTHS		1 @ 30'	Platform 1 @ 100 Sq. Ft. Service Space @ 20'	
FRONT YARD	N/A			
REAR YARD	27.29'		16.23'	11.06" (40.53%)
SIDE YARD	N/A			
COURT, OPEN	N/A			
COURT, CLOSED	N/A			



GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT

Application No. 16966 of NEST and Totah Venture, LLC, pursuant to 11 DCMR § 3104.1, for a special exception to allow a mechanical penthouse not meeting the setback requirements under section 411 (770.6(b)), and pursuant to 11 DCMR § 3103.2 for a variance from the floor area ratio requirements under section 771, and a variance from the rear yard requirements under section 774, to allow the construction of a retail/office building with an accessory parking garage in the C-4 District at premises 1426-1430 K Street, N.W. (Square 218, Lots 808 and 823).

HEARING DATE: January 14, 2003

DECISION DATE: February 11, 2003

APPLICANT'S PROPOSED DECISION AND ORDER

REVIEW BY THE ZONING ADMINISTRATOR

The Application was accompanied by a memorandum from the Zoning Administrator certifying the required relief.

PRELIMINARY MATTERS:

1. The Board of Zoning Adjustment (the "Board"), pursuant to its rules, provided proper and timely notice of the public hearing on this Application by publication in the D.C. Register, and by mail to Advisory Neighborhood Commission ("ANC") 2F, and to the owners of property within 200 feet of the site.

2. Consistent with the Zoning Administrator's Referral Memorandum dated October 28, 2002, the Application as filed with the Board also requested approval of a variance from the maximum allowable floor area permitted pursuant to Section 771. However, upon further review,

the Zoning Administrator determined that, because the proposed additional building area would be contained within in a projection into public space, it does not count as FAR, and the Applicant withdrew its request for such a variance. The Zoning Administrator issued a revised Referral Memorandum to that effect dated February 3, 2003.

3. The subject site is located within the jurisdiction of ANC 2F, which is automatically a party to this Application. ANC 2F submitted a letter in support of the Application on January 13, 2003. The Board accepted ANC 2F's report into the record by waiving its seven day advance filing rule for such reports set forth in 11 DCMR §3115.1.

4. The Office of Planning submitted a timely report recommending approval of the Application, as revised, on January 7, 2003.

5. On January 7, 2003, the Board received a request for party status from Chevy Chase Bank FSB ("Chevy Chase"), owner of the property at 925-15th Street, N.W. The Board waived its 14-day advance filing requirement set forth in 11 DCMR §3106.2, determined that Chevy Chase satisfied the criteria for party status, and granted Chevy Chase permission to participate as a party in opposition.

6. On December 4, 2002, the Board received a request for party status from Vally Spencer on behalf of the owner of the property at 901-15th Street, N.W. The Board determined that the interests of that property owner would not be more significantly, distinctively or uniquely affected by the Application than other persons in the general public and denied the request for party status.

FINDINGS OF FACT:

1. The subject site is known as 1426 and 1430 K Street, N.W., Lots 808 and 823 in Square 218 (the "Site"). The lots are adjacent parcels owned by the Applicant. The Site is located on the south side of K Street, N.W., between 14th and 15th Streets. The Site is zoned C-4.

2. The Site contains 7,196 square feet of land. It is irregularly shaped, with a frontage along K Street of 80 feet and a depth of varying dimensions ranging from 93 feet on the west to 80.5 feet on the east. Unlike all other interior lots in the square, the existing 20- foot wide alley in the rear extends 12 feet into the southeast corner of the Site.

3. The Site is currently improved with two structures: (a) a 13-story office building at 1430 K Street, and (b) a 15-story concrete structure originally built as a parking garage which was later converted into a record storage facility at 1426 K Street. Both structures have been vacant for at least 10 years. The developed FAR is 10.7.

4. The Site is located between McPherson and Franklin Squares in an area characterized by high-rise office development with ground floor retail. To the east of the Site is a 6-story office/retail structure known as the Orme Building. On the west is a 12-story office structure known as the Carry Building. The 6-story Chevy Chase building abuts a portion of the rear of the Site. The remaining frontages of the subject square are generally developed with 10 to 12-story office/retail structures consistent with the C-4 Zone District.

5. The Applicant proposes to raze the two existing structures and construct a 12-story office building with ground floor retail. The proposed office building will be 130 feet in height and have a floor area ratio of 10.0. The project will include 36 parking spaces, one loading berth, one service delivery space, and one loading platform. Access to the parking garage and loading facilities

will be via the public alley which deadends at the rear of the site (the "Project").

6. The proposed building has been designed to relate with sensitivity to the scale and rhythm of the surrounding buildings.

7. In Case No. 15169 the Board approved a rear yard variance and roof structure special exception for the Site by Order dated May 17, 1991. The Board takes official notice of that Order. The rear yard variance and roof structure setback were virtually the same as the relief requested by the Applicant in this case. That project was never built.

8. The C-4 District requires a rear yard of 2.5 inches per foot of vertical height but not less than twelve feet commencing twenty feet above the mean finished grade. The proposed structure requires a rear yard of 27.29 feet. The Applicant proposes to provide a rear yard of 16.23 feet measured from the rear property line. A variance from the rear yard provisions is therefore required.

9. The property is affected by an extraordinary or exceptional situation or condition in that the shape, shallowness and irregular depth of the Site limit the amount and configuration of useable office space that can be built on it. Moreover, the Site is the only non-corner lot in the subject square and within at least the 6 surrounding squares which lacks public alley access running the length of its rear property line. The rear yard must therefore be measured from the rear property line instead of from the middle of the adjacent alley.

10. Strict application of the minimum rear yard requirement to the Site would result in peculiar and extraordinary practical difficulties to the Applicant owner. The provision of a 27.29 foot rear yard would produce an office building with a depth of only 65 feet. Centering the necessary elevator/service core in a building of that depth would leave only 20 feet of floor area between the

north and south building walls. In a multi-tenant layout, that area would be reduced by corridors in the public areas and inside the tenant space, leaving a depth of usable office space in the front and rear of only 10 feet. The internal configuration of office space which could be provided in a structure of those dimensions would be functionally impractical and not commercially marketable, and would force the Applicant to abandon plans to redevelop the Site because such a structure would not be economically viable, particularly in view of the atypical costs for demolition and site clearance.

11. The proposed 16.23 foot rear yard is consistent with the 12 to 19 foot rear yards provided by other structures in the square. The adjacent buildings to the east and west of the Site occupy 100 percent of their lots, and the proposed rear yard would not block sunlight for neighboring properties to the south because it would not affect sunlight penetration to the alley or the area abutting the southern property line. The proposed reduced rear yard will, therefore, not adversely impact immediate adjacent buildings in terms of reduced light and air.

12. The C-4 District provides for a maximum height of roof structures of 18.5 feet, set back from the exterior walls of the structure a distance at least equal to the height of the roof structure. The Applicant is seeking special exception approval pursuant to Subsection 411.11 in order to deviate from the 18.5 feet setback requirement at the rear (south) of the proposed structure.

13. The irregular shape and small in-fill nature of the Site renders full compliance with the roof structure setbacks impracticable. The proposed mechanical penthouse is 18.5 feet in height. Locating the roof structure 18.5 feet from all exterior walls in a building with such a small footprint would produce an inefficient internal layout of office space due to the need for an appropriately-located service core. The proximity of the roof structure to the front of the Site would result in increased visibility from K Street. The Applicant proposes to set the roof structure back 30 feet

from K Street to the north, 18.5 feet on the east and west, and 6.0 feet to the south. The Applicant has minimized the impacts of the penthouse on adjacent properties by reducing the floor area ratio of the roof structure from .37 (permitted as a matter-of-right) to .25. The location of the penthouse would preserve the sightlines from K Street, the only public street on which the site has frontage, without affecting available sunlight for adjoining properties.

14. The OP recommended approval of the rear yard variance and the special exception for the proposed roof structure setback. The OP was of the opinion that the size and shape of the site creates practical difficulties for the Applicant owner. The OP concluded that the proposed rear yard would not have a significant impact on the light and air available to the Chevy Chase building, and that the proposed penthouse enclosure would not have any impact. The OP was further of the opinion that the proposed project is consistent with the goals and objectives of the Comprehensive Plan for this subarea of the Downtown.

15. By memorandum dated January 3, 2003, the Fire Marshal reported to the OP that the D.C. Fire and EMS Department had no objection to the Application, provided certain actions are taken to preserve emergency access in the alley.

16. By memorandum dated January 10, 2003, the Metropolitan Police Department recommended that the Application be approved.

17. ANC 2F, by letter dated January 13, 2003, unanimously supported approval of the Application in all respects. The Commission added that it "welcomes the proposed replacement of two long-derelict vacant buildings with a new building having architectural merit."

18. Chevy Chase opposed the Application, contending that approval of the proposed rear yard variance and roof structure special exception might reduce the light and air available to a certain

portion of the space in the rear of its building, thereby potentially reducing the value of its property. However, Chevy Chase offered no evidence to quantify any reduction in the value of its property. Moreover, its witness was not able to describe the particular uses conducted within the ostensibly affected interior spaces, nor could he contradict the Applicant's evidence that at least one of the windows in the building is blocked from the inside.

19. Approval of the Application will not reduce the light and air available to the Chevy Chase building. Two-thirds of the windows on the side of that 6-story building facing the Site are set back 8 feet from the property line. Most of the natural light enters the area between the Site and the Chevy Chase property from the sun traveling overhead from east to west; the Site is to the north. A building height of 130 feet is permitted as a matter of right on the Site because the width of the adjacent K Street right-of-way is greater than 110 feet. Reducing the height of the proposed building would still have the effect of moving the rear wall closer to the Chevy Chase building. The proposed penthouse would be more than 22 feet from the property line. The Applicant proposes to replace the existing garage entrance with a structure only 13 feet tall, which would be approximately 7 feet lower than the existing structure, thereby increasing the amount of light available to the lower levels of the Chevy Chase building. The existing situation would be further improved by the construction of a building on the Site with windows on the full south facade; there are no windows in the south wall of the existing storage building. Accordingly, the Board finds that the project proposed by the Applicant will have no adverse impact on the Chevy Chase property.

CONCLUSIONS OF LAW AND OPINION:

Based upon the foregoing Findings of Fact, the Board concludes that the Applicant is seeking

an area variance from Section 774 of the Zoning Regulations and a special exception under Section 411 of the Zoning Regulations.

To be entitled to an area variance under 11 DCMR § 3103.2, the Applicant must demonstrate: (a) an exceptional or extraordinary situation or condition inherent in the property which creates a practical difficulty upon the owner, and (b) that the variance can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose or integrity of the zone plan.

Based upon the record before the Board, and having given great weight to ANC 2F and to the OP, the Board concludes that the Applicant has met the burden of proof for an area variance under 11 DCMR § 3103.2. The Board further concludes that the Site is subject to extraordinary or exceptional conditions by virtue of its small size, shallowness, irregular shape, and the fact that the Site is the only non-corner lot in the subject square and within at least the 6 surrounding squares which does not have a public alley running the length of its rear property line, necessitating measurement for rear yard purposes from the rear property line instead of from the middle of the alley. This confluence of factors results in an exceptional condition or situation impacting the Site.

The Board also concludes that, by reason of the extraordinary or exceptional condition impacting the Site, strict compliance with the rear yard requirement of Section 774.1 results in a practical difficulty upon the Applicant. Compliance with the minimum rear yard requirement in this instance would yield a building depth of only 65 feet. Centering the necessary elevator/service core in such a shallow building would not leave a commercially reasonable usable amount of office space area between the core and the north or south building walls. It would not be financially feasible or prudent to build a building with such a commercially unmarketable internal configuration.

The Board further concludes that the requested variance can be granted without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. The Project is supported by ANC 2F. The proposed use, height and bulk are consistent with the C-4 District and the development of this area of the Downtown in general and of this area of K Street in particular. The Project will benefit the immediate neighborhood by replacing 2 distressed, long-vacant high-rise structures with a modern Class A office building that is consistent with the prevailing character of the neighborhood. The 11-foot rear yard variance will enable appropriate and economically feasible development of the Site without impairing, and even improving, the light and air available at the rear.

Based upon the record before the Board, and having given great weight to ANC 2F and to the OP, the Board concludes that the Applicant has also met the burden of proof established by 11 DCMR § 3104.1 for a special exception under subsections 411.11 and 770.6(b). The Board concludes that compliance with the requirements of subsection 770.6(b) would be impracticable because of the location, size and shape of the Site and the practical difficulties that would result from attempting to locate the mechanical penthouse further than 6 feet from the rear (south) exterior wall and that, therefore, compliance with this requirement would be unduly restrictive, prohibitively costly, and unreasonable. The roof structure has been removed from the rear building wall as much as possible consistent with the need to provide functional, commercially usable office space.

The Board also concludes that the proposed roof structure will not materially impair the intent and purpose of Chapter 400 and the Zoning Regulations, and that the light and air of adjacent buildings will not be affected adversely by it. The roof structure will have no impact on the amount of light available to the north side of the Chevy Chase building, while the Project as a whole will

increase the amount of light in the alley area behind the Site. Accordingly, the Board concludes that the location of the proposed roof structure will be in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the use of neighboring properties in accordance with the Zoning Regulations and Maps. The Applicant is therefore entitled to relief from the requirements of subsection 770.6(b).

In light of the foregoing, it is **ORDERED** that this Application, as revised, be, and it hereby is, **GRANTED**.

VOTE:

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

Each concurring member has approved the issuance of this order.

FINAL DATE OF ORDER: _____

PURSUANT TO 11 DCMR §3125.6, THIS ORDER WILL BECOME FINAL UPON ITS FILING IN THE RECORD AND SERVICE UPON THE PARTIES. UNDER 11 DCMR § 3125.9, THIS ORDER WILL BECOME EFFECTIVE TEN DAYS AFTER IT BECOMES FINAL.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSES OF SECURING A BUILDING PERMIT.

THE APPLICANT IS REQUIRED TO COMPLY FULLY WITH THE PROVISIONS OF THE

HUMAN RIGHTS ACT OF 1977, D.C. LAW 2-38, AS AMENDED, AND THIS ORDER IS CONDITIONED UPON FULL COMPLIANCE WITH THOSE PROVISIONS. IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE SECTION 2-1401.01 ET SEQ., (ACT) THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, FAMILIAR STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION, WHICH IS ALSO PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS ALSO PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION. THE FAILURE OR REFUSAL OF THE APPLICANT TO COMPLY SHALL FURNISH GROUNDS FOR THE DENIAL OF OR, IF ISSUED, REVOCATION OF ANY BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

C

1430 K STREET NW

ZONING ANALYSIS

D.C. Municipal Zoning Regulations
DCMR, Title 11 July 1995

Board of Zoning Adjustment Hearing No.

Zone: C-4 Commercial Office
LOTS: 806, 803
SQUARE: 218
SITE AREA: 7186.4 Sq.Ft.

SECTION		PERMITTED/REQD.	PROVIDED
770.4	Height	130 Ft	130 Ft
	Stories	No Limit	12
770.6	Penthouse Setback:		
	North	18.5 Ft. Min.	18.5 Ft.
	East	18.5 Ft. Min.	18.5 Ft.
	South	18.5 Ft. Min.	6.00 Ft.
	West	18.5 Ft. Min.	20.00 Ft.

SECTION		PERMITTED/REQD.	PROVIDED
771.5	F.A.R.		
	Building	10.0	10.00
	Penthouse	.37(2662)	.24(1749)
	GROSS FLOOR AREA:		
	1st Floor		5,822 SF
	2nd Floor		5,649 SF
	3rd Floor		6,097 SF
	4th Floor		6,097 SF
	5th Floor		6,097 SF
	6th Floor		6,097 SF
	7th Floor		6,097 SF
	8th Floor		6,097 SF
	9th Floor		6,097 SF
	10th Floor		6,097 SF
	11th Floor		5,951 SF
	12th Floor		5,726 SF
	Building	71,964 SF	71,964 SF
	Penthouse	2,662 SF	1,749 SF

SECTION		PERMITTED/REQD.	PROVIDED
772.1	LOT OCCUPANCY	100%	99%
774.1	REAR YARD	27.08 Ft	16.23 Ft
775.5	SIDE YARD	None	None
2101.1	PARKING SPACES	None	38 Sp.
2201.1	LOADING BERTHS	1@30 Ft	1@30 Ft
	SERVICE BERTHS	1@ 20 Ft	1@20 Ft
	PLATFORMS	1@100 SF	1@100 SF

CODE ANALYSIS

1996 BOCA
DCMR 12, Construction Codes, 1999

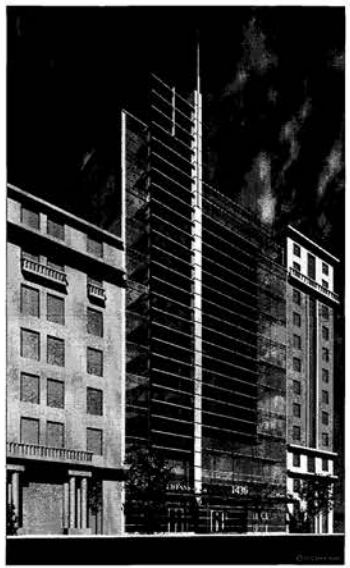
302.1 USE GROUP
B: Floors 2-12
M: First Floor
S-2: 2 Basement Parking Levels.

302.1.1 FIRE GRADING OF BUILDING:
B: 2 hours
M: 2 hours
S-2: 2 hours

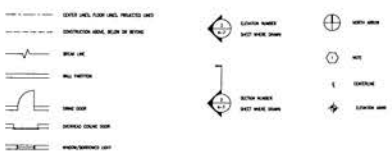
313.0 MIXED USE AND GROUPS:
Construction Type 1B, Fully Sprinkled

503.0 GENERAL HEIGHT AND AREA LIMITATIONS:
B, M, S-2: Const. Type 1B, Not limited.

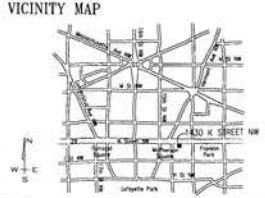
SECTION		ALLOWED	PROVIDED
BOCA			
3203.12	VAULTS:		
		3 Ft From Curb	12'-10" From Curb
DCMR			
3202.9.2	VAULTS:		
		Subject to Approval	
DCMR			
3202.4.2	PROJECTIONS INTO PUBLIC RIGHT OF WAY:		
		14 Ft	3'-3" to 4 Ft
DCMR			
3202.10.6.1	COLONNADES: (Height)		
		Two Stories	Two Stories
BOCA			
3203.10.6.2	COLONNADES: (Projection)		
		8 Ft	4 Ft
DCMR			
3202.12.1.1	CANOPIES: (Width)		
		WIDTH OF DISPLAY WINDOW OR SPACE AND A REASONABLE DISTANCE ON EITHER SIDE	65 Ft
3202.12.1.2	CANOPIES: (Height)		
		Min. 8 Ft	11 Ft
3202.12.1.3	CANOPIES: (Projection)		
		8 Ft	8 Ft
DCMR			
3116.4	SIGNS ON AWNINGS OR SIMILAR PROJECTIONS:		
		12 IN HEIGHT	12 IN HEIGHT



GRAPHIC SYMBOLS



VICINITY MAP



DRAWING INDEX

CS-1 COVER SHEET
C-101 SITE PLAN

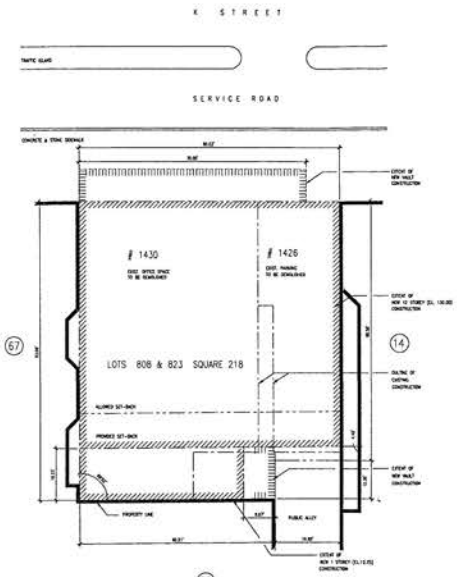
A-101 PARKING GARAGE LEVELS P1 & P2
A-102 FIRST & SECOND FLOOR PLANS
A-103 THIRD & FOURTH TO 9TH FLOOR PLANS
A-104 10TH & 11TH FLOOR PLANS
A-105 12TH & PENTHOUSE PLANS

A-301 NORTH & SOUTH BUILDING ELEVATIONS
A-302 BUILDING SECTION & EAST ELEVATION

DVA
DONNALLY VUJCIC ASSOCIATES, L.L.C.

1430 K STREET NW
1430 K STREET NW, WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILLE, MD 20852
COVER SHEET

CS-1



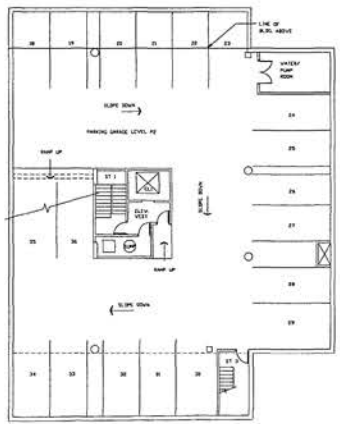
1 SITE PLAN
C101 SCALE: 1" = 10'-0"

NORTH

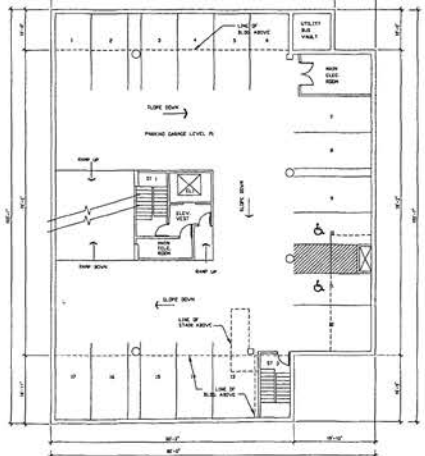
DVA
DONNALLY VUICIC ASSOCIATES, L.L.C.

1430 K STREET, NW
1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 400 ROCKVILL, MD 20852
SITE PLAN

C-101



1 A101 PARKING GARAGE LEVEL P2 SCALE: 1/8"=1'-0" A-101

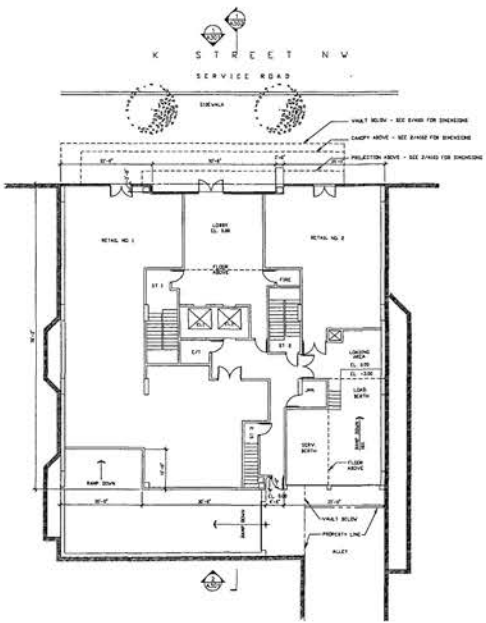


2 A101 PARKING GARAGE LEVEL P1 SCALE: 1/8"=1'-0" A-101

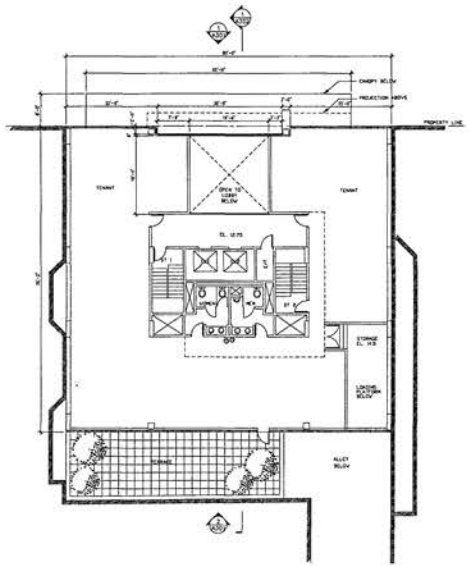
DVA
DONNALLY VUCIC ASSOCIATES, L.L.C.

1430 K STREET, NW
1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILL, MD 20852
PARKING GARAGE LEVELS P1 & P2

A-101



A/102 FIRST FLOOR PLAN
SCALE: 1/8"=1'-0"



A/102 SECOND FLOOR PLAN
SCALE: 1/8"=1'-0"

DVA
DONNALLY VUCIC ASSOCIATES, L.L.C.
architecture ■ planning ■ interiors
[illegible] Gaithersburg, Maryland 20878-1433
301-990-9550 ■ Fax 301-990-9554 ■ EMAIL DVA-ARCH.COM

1430 K STREET NW
1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILL, MD 20852
FIRST & SECOND FLOOR PLANS

DATE	
CHECKED	
DRAWING	
SCALE	

A-102

THIRD FLOOR PLAN

FOURTH TO 9TH FLOOR PLAN

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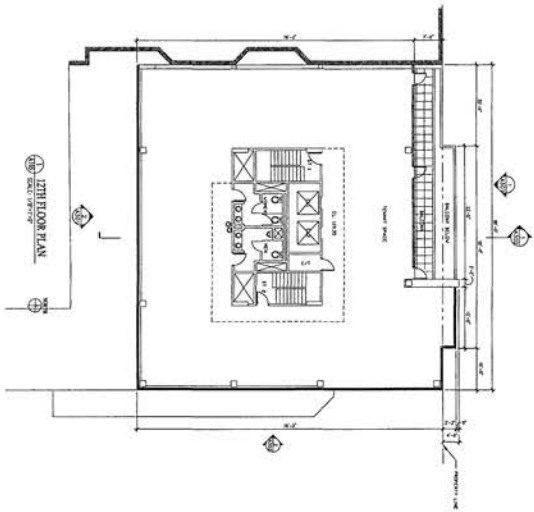
1430 K STREET NW
1430 K STREET, NW WASHINGTON, DC-
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 408 ROCKVILLE, MD 20852
THIRD & FOURTH TO FIFTH FLOOR PLANS

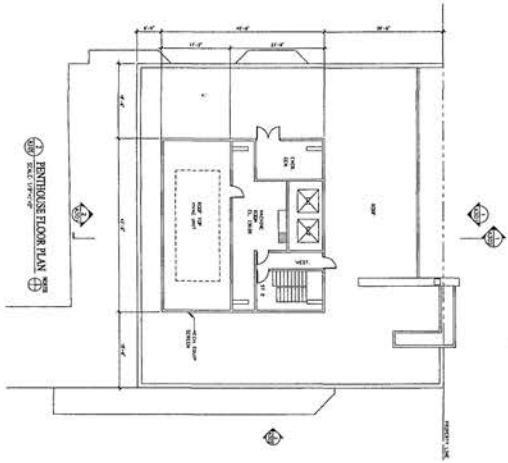
A-103

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1430 K STREET NW
1430 K STREET, NW WASHINGTON, DC
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILL, MD 20852
10TH & 11TH FLOOR PLANS

A-104





A-105

1430 K STREET NW
1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILL, MD 20852

12TH & PENTHOUSE FLOOR PLANS

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1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 400 ROCKVILLE, MD 20852
NORTH & SOUTH BUILDING ELEVATIONS

A-301

1 BUILDING SECTION
SCALE: 1/8"=1'-0"

2 EAST ELEVATION
SCALE: 1/8"=1'-0"

DVA
DONNALLY VUICIC ASSOCIATES, L.L.C.
architecture ■ planning ■ interiors
4501 Hollywood Court, Suite 200 ■ Lanham, Maryland 20706-3403
301.794.8833 ■ Fax 301.794.8836 ■ dva@dvallc.com

1430 K STREET, NW
1430 K STREET, NW WASHINGTON, DC.
NEST AND TOTAH VENTURE, L.L.C.
600 JEFFERSON PLAZA, SUITE 406 ROCKVILL, MD 20852
BUILDING SECTION & EAST ELEVATION

A-302



GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

Building and Land Regulation Administration
Office of the Zoning Administrator

January 10, 2003

Donnally VUJCIC Associates, LLC
400 Professional Place - Suite 200
Gaithersburg, MD 20879-3433
Attn: Aaron Thoren

Re: 1430 K Street, NW
Washington, DC
(the "Property")

Dear Mr. Thoren:

The information submitted to you by Zoning Technician Ade Shittu, relating to the above captioned Property is correct.

"Any floor area projection, approved by the Building Inspection Division of DCRA into public space does not count as building area for zoning purposes. The FAR is counted from property lot line to property lot line. " Projections into public space are outside the purview of the Zoning Administrator. Projections into public space require approval from the Department of Public Work's Public Space Division.

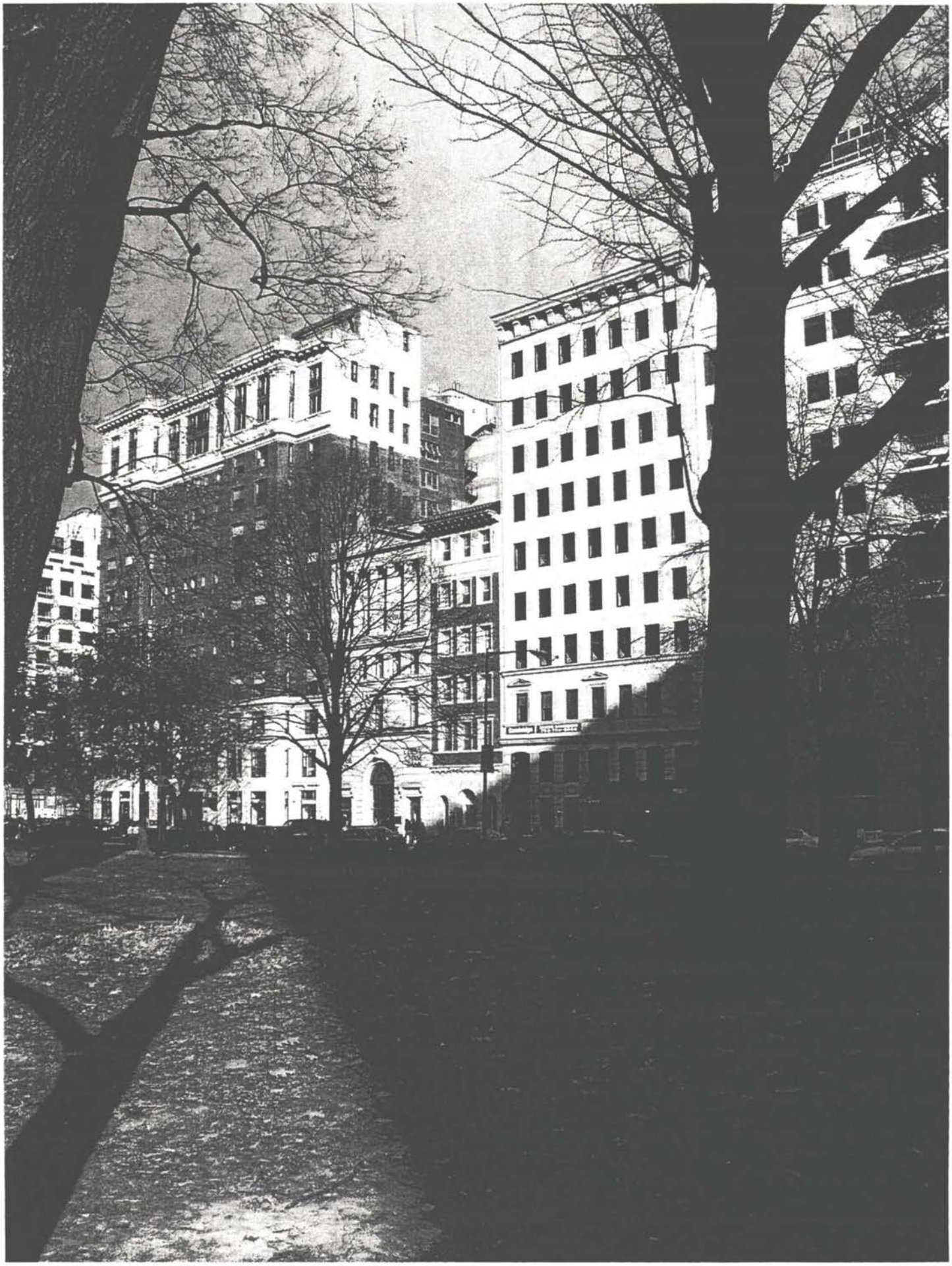
Contact our offices if zoning information is required.

Respectfully,

Robert W. Kelly
Zoning Administrator

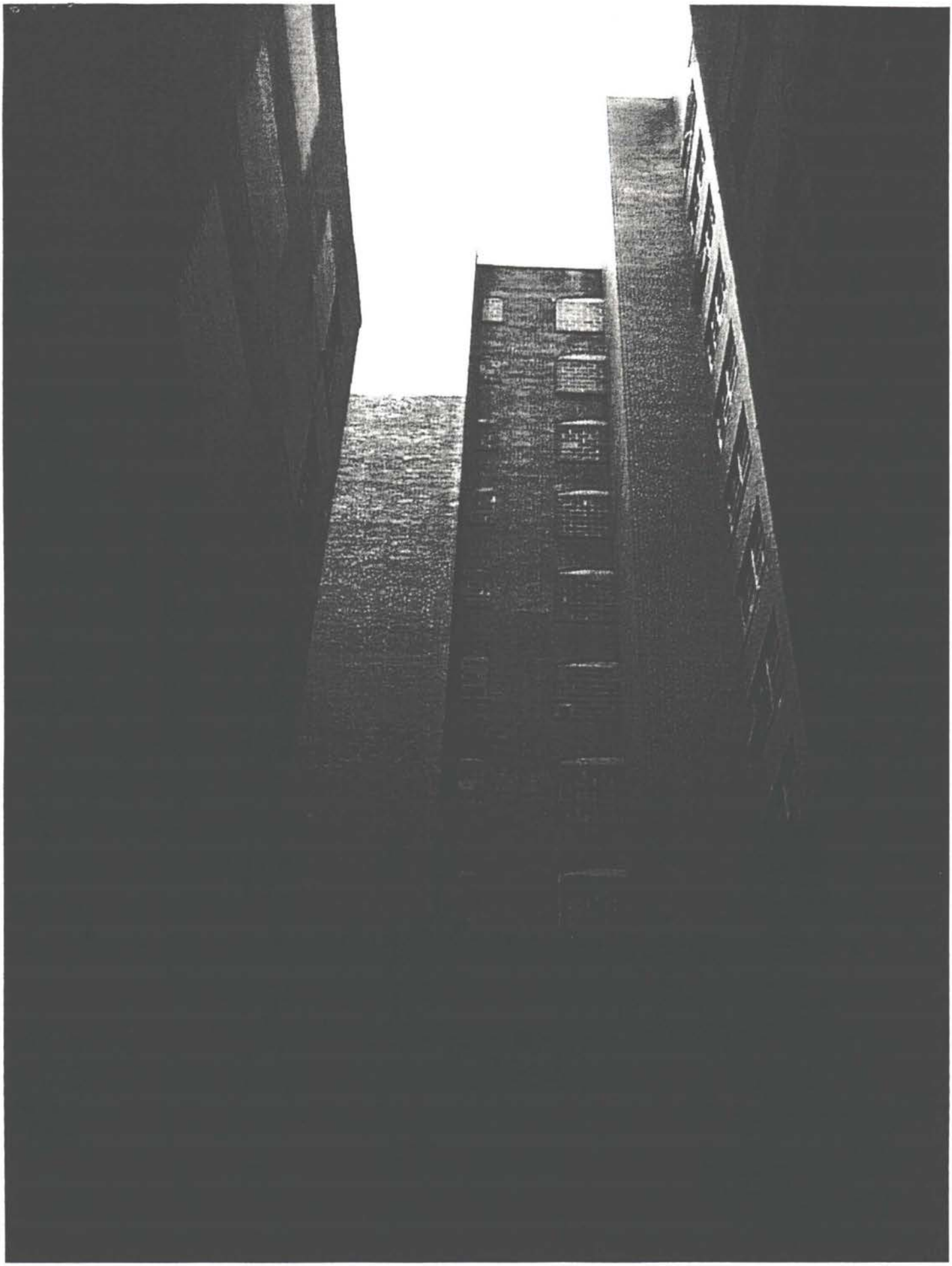
RWK/er





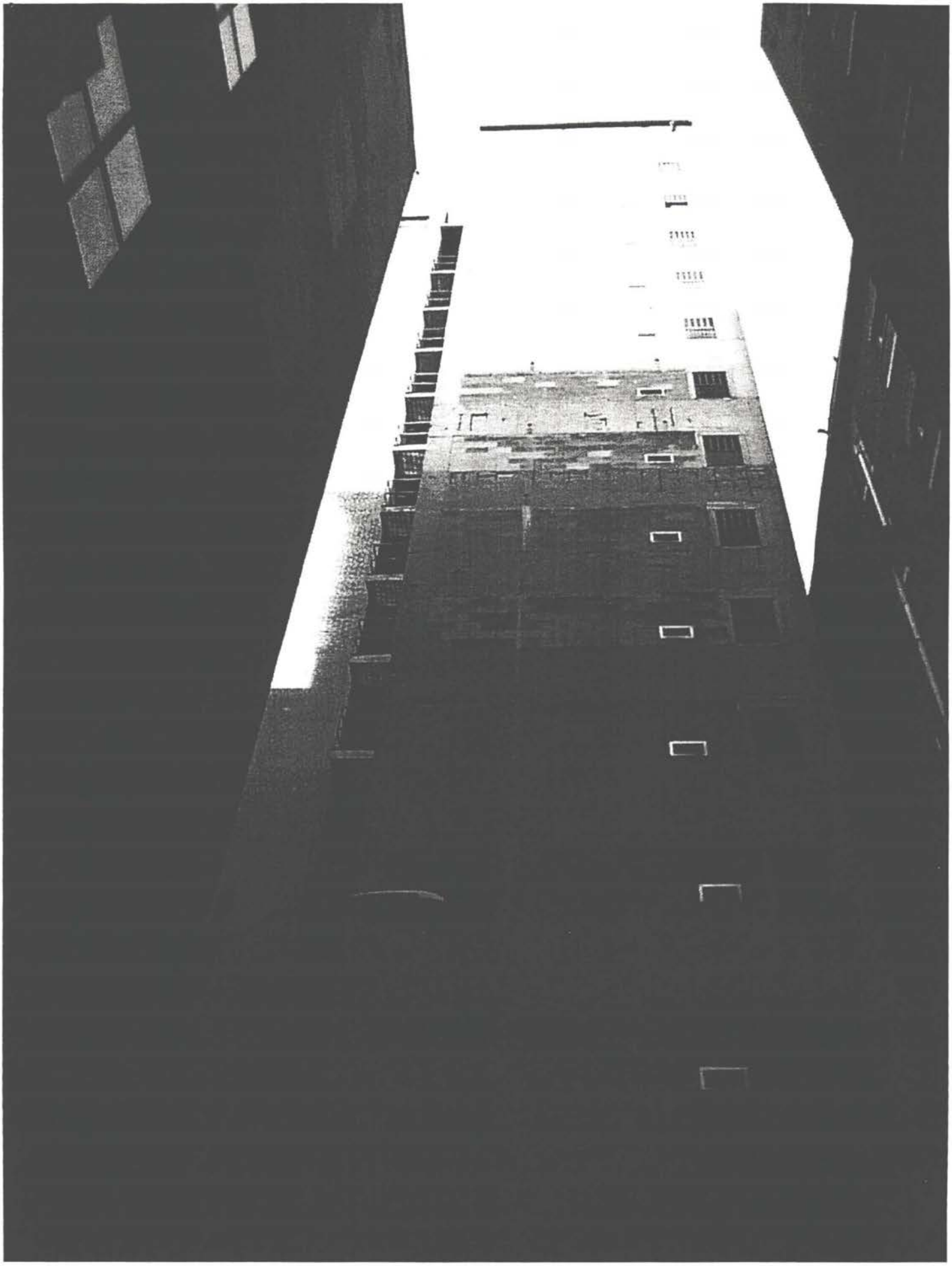


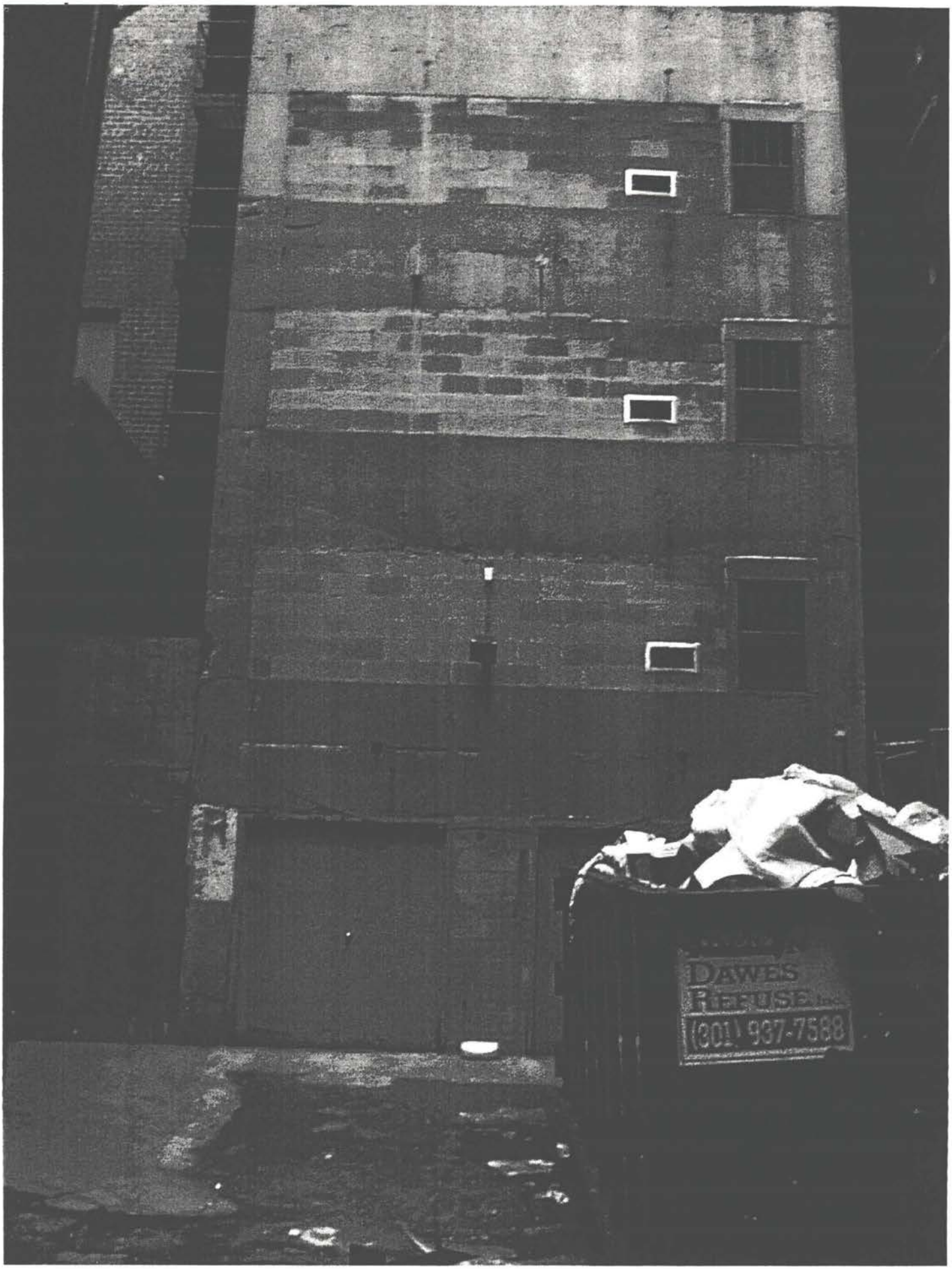
F





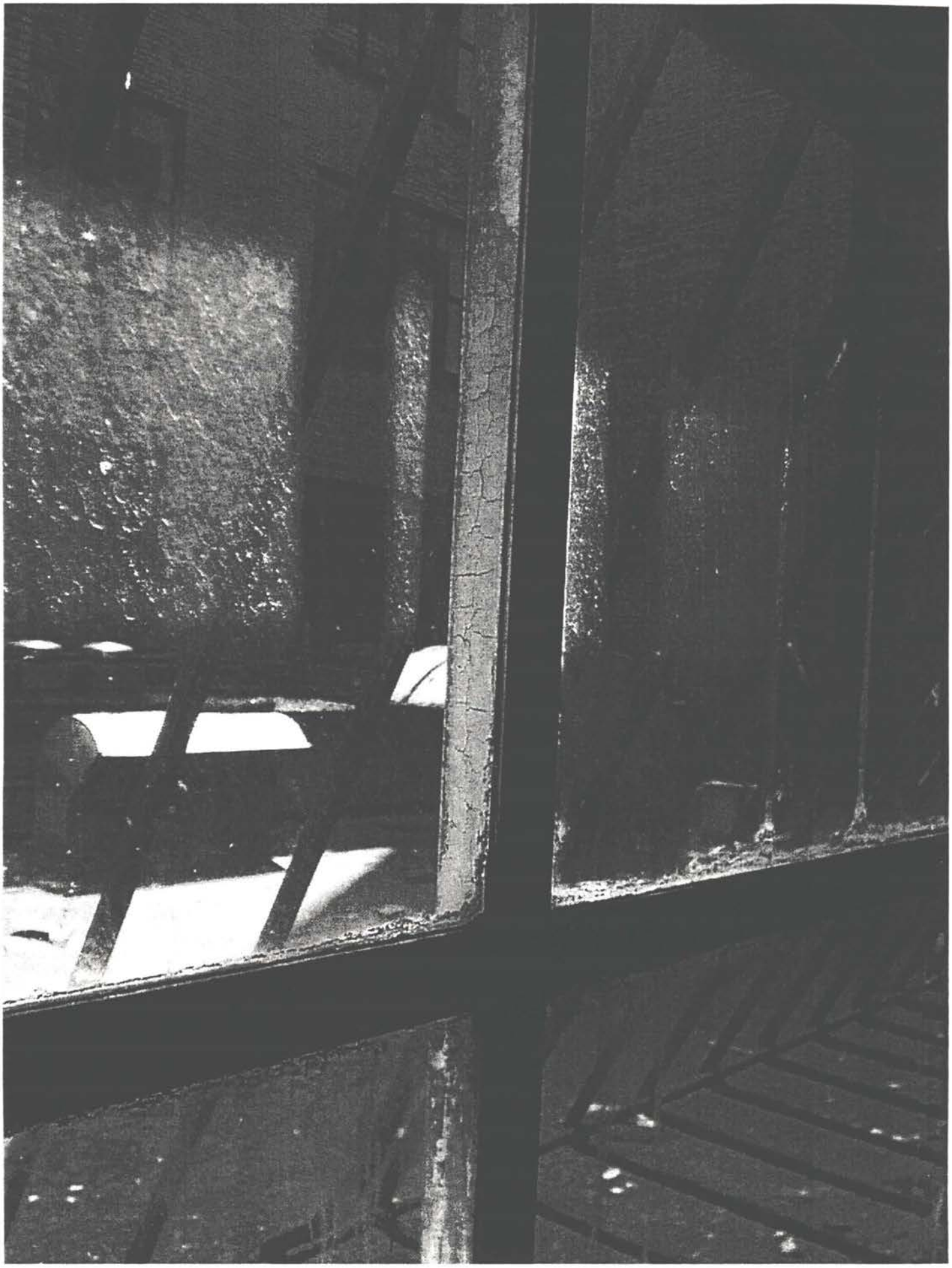

CAUTION

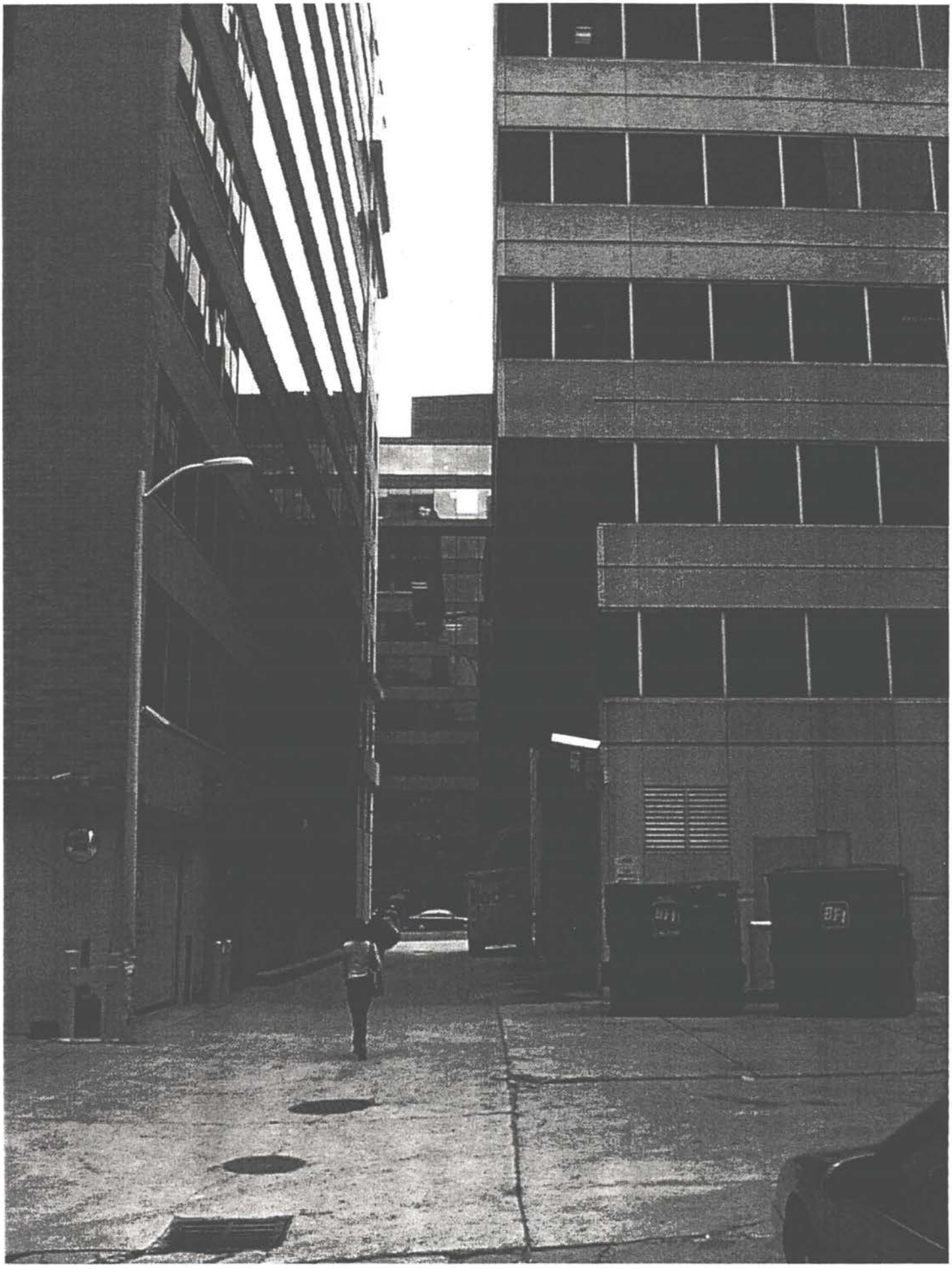



DAWES
REFUSE
(801) 937-7588

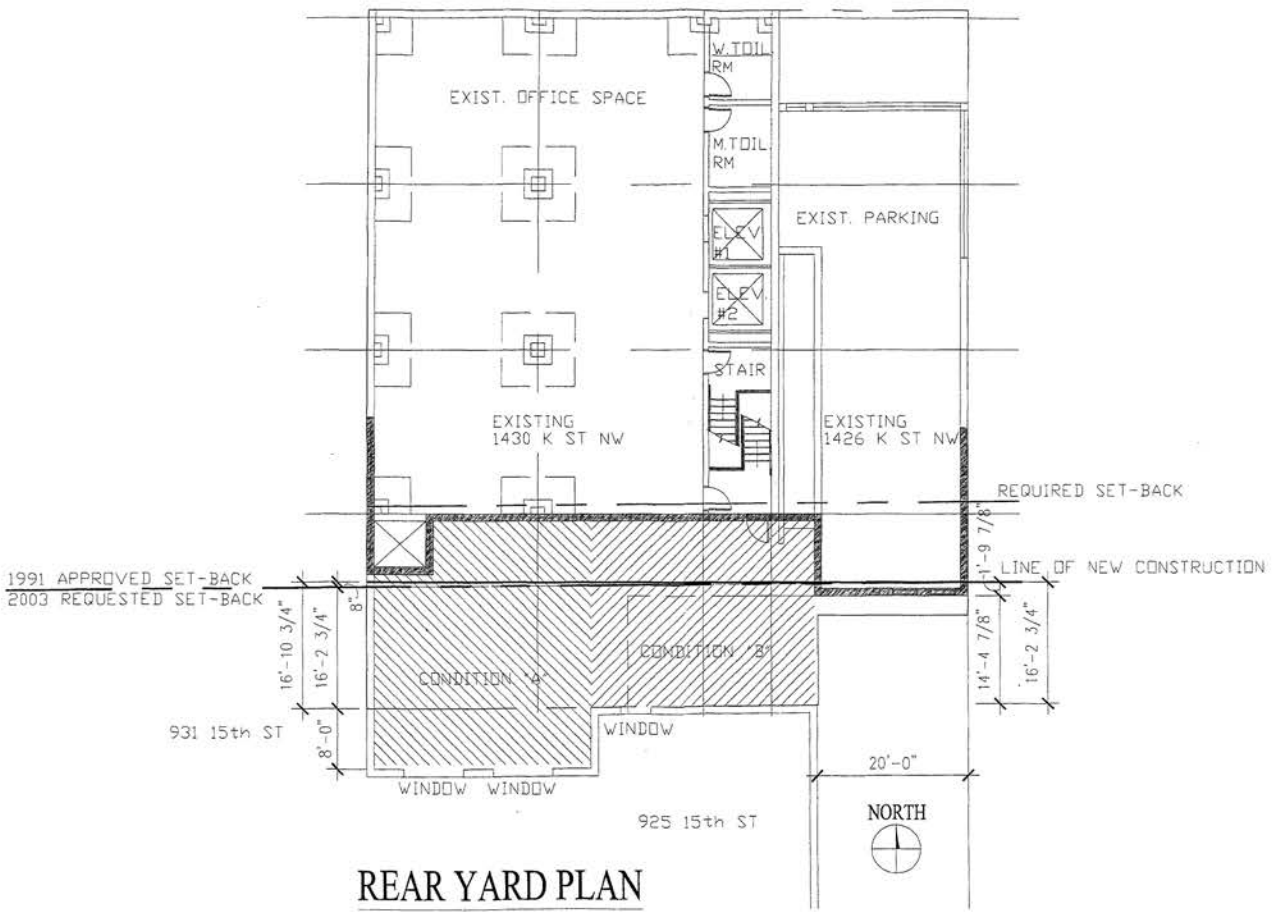




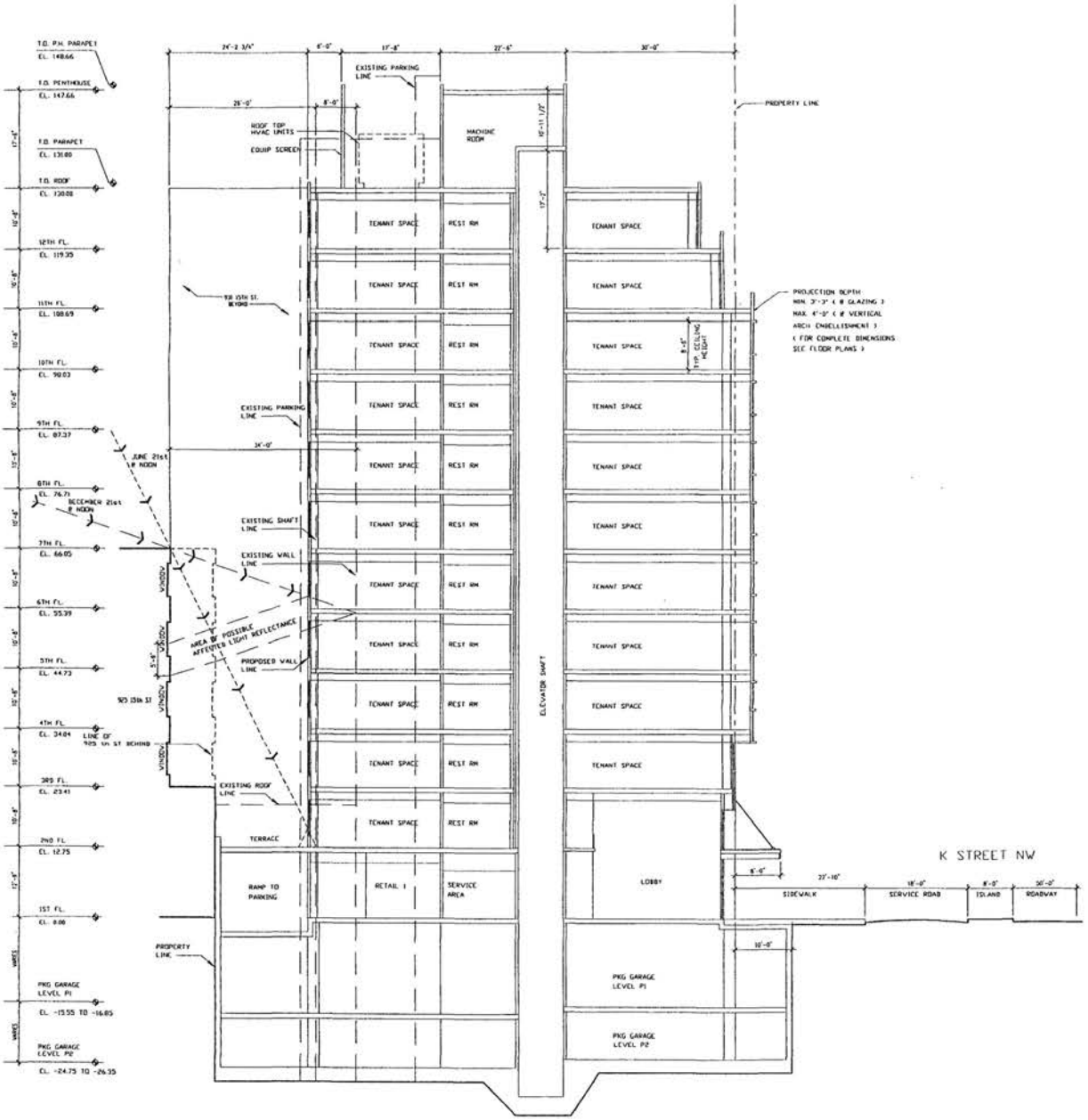




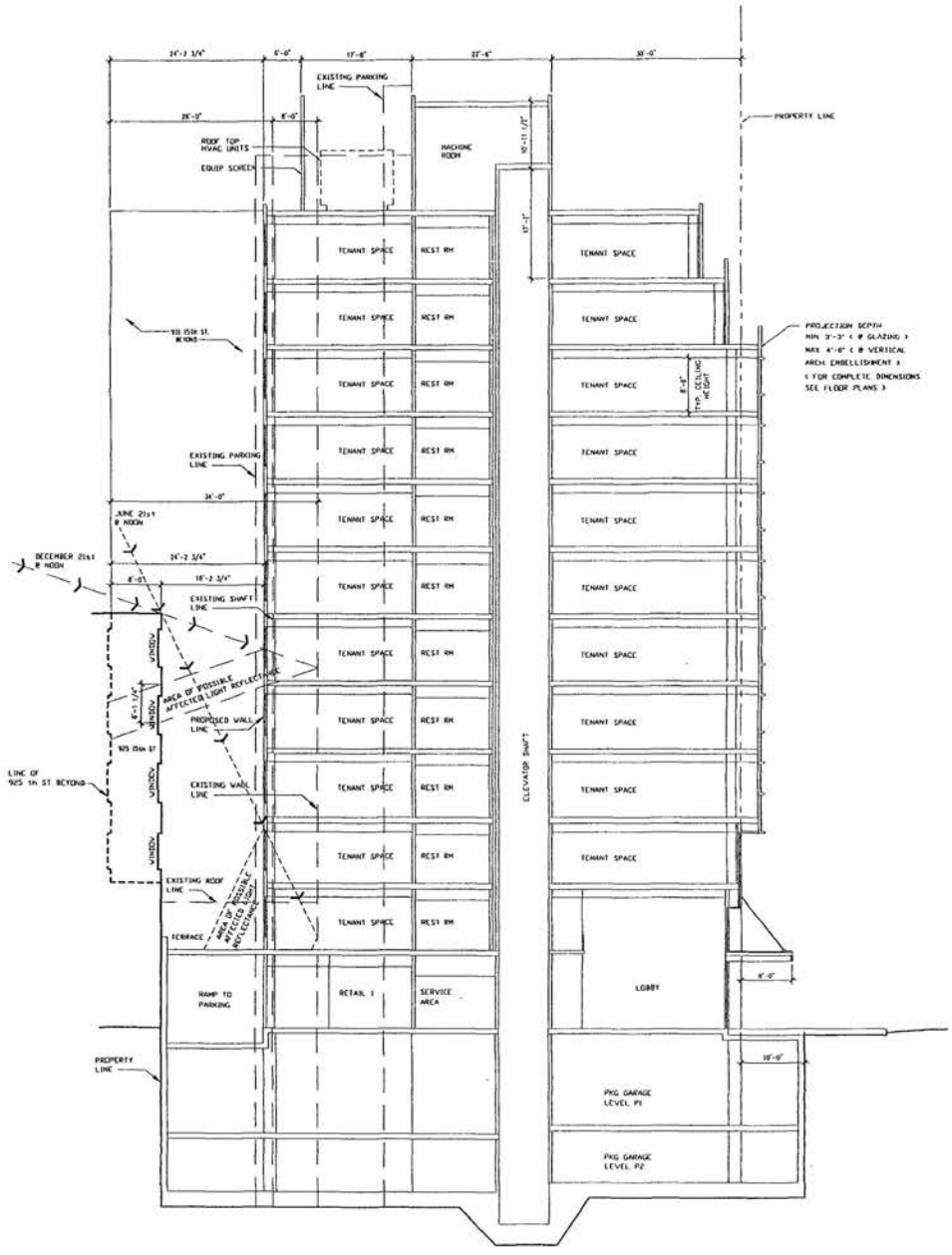
G



REAR YARD PLAN



SUN EXPOSURE AT CONDITION "A"



SUN EXPOSURE AT CONDITION "B"