

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Christine M. Shiker
202.457.7167
christine.shiker@hklaw.com

July 16, 2018

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, N.W., Suite 210S
Washington, D.C. 20001

**Re: Applicant's Clarification to Waterfront Tower's July 9, 2018 Email
Z.C. Case No. 02-38I
Second Stage PUD & Modification of Significance to First-Stage PUD @ Square 542**

Dear Members of the Commission:

On behalf of Waterfront 375 M Street, LLC and Waterfront 425 M Street, LLC (together the "Applicant"), we hereby respond to the email dated July 9, 2018, and filed by Leigha Gooding on behalf of Waterfront Tower (the "WFT Email"). To the extent that it is necessary, the Applicant requests a waiver from 11-Z DCMR § 602.3 to make this submission, and pursuant to 11-Z DCMR § 602.6, requests the Commission to accept this submission to clarify the Applicant's position on the final outstanding item raised in Waterfront Tower's response to the Applicant's post-hearing submission.

The WFT Email was written in response to the Applicant's post-hearing submission filed on July 2, 2018 (Ex. 131) noting a discrepancy between the signed Memorandum of Agreement between the Applicant and Waterfront Tower dated July 1, 2018 (Ex. 131C) (the "MOA") and the final set of architectural drawings for the M Street buildings dated July 2, 2018 (Ex. 131G) (the "Final Drawings").

Section 5 of the MOA requires that the Applicant enhance the design of the ground floor façade of the East M Street building, including the "brick walls along east and north facades at the northeast corner of 375M" with vertical plantings of an evergreen plant material. The Final Drawings show the proposed vertical plantings on the east façade but not on the north façade of the East M Street building's northeast corner.

The Applicant did not intend to violate this term of the MOA. Therefore, attached hereto is a revised landscape plan (Sheet L4-r1) and building elevation (Sheet 88-r1) showing the location and extent of the vertical plantings as proposed and agreed to with Waterfront Tower. These sheets are intended to supersede corresponding sheets in the Final Drawings.

ZONING COMMISSION
District of Columbia
CASE NO.02-38I
EXHIBIT NO.135

Should the Commission have any questions on the information above please do not hesitate to have staff contact us. Thank you for your attention to these matters.

Sincerely,

HOLLAND & KNIGHT LLP

By: Christine Shiker
Christy M. Shiker

By: Jessica Bloomfield
Jessica R. Bloomfield

Attachment

cc: Joel Lawson, Office of Planning	(See Certificate of Service)
Matt Jesick, Office of Planning	(Via Email; w/attachment)
Aaron Zimmerman, DDOT	(Via Email; w/attachment)
Joseph Lapan, DMPED	(Via Email; w/attachment)
Caleb Sheldon, DMPED	(Via Email; w/attachment)
Advisory Neighborhood Commission 6D	(See Certificate of Service)
Commissioner Moffatt, ANC 6D05	(Via Email; w/ attachment)
Commissioner Fast, ANC 6D01	(Via Email; w/ attachment)
Commissioner Litsky, ANC 6D04	(Via Email; w/ attachment)
Commissioner Fascett, ANC 6D Chair	(Via Email; w/ attachment)
Alan Bergstein, OAG	(Via Email; w/ attachment)
Hillary Lovick, OAG	(Via Email; w/attachment)

CERTIFICATE OF SERVICE

I hereby certify that copies of this letter and attached plan sheets were sent to the following on July 16, 2018:

Joel Lawson
D.C. Office of Planning
1100 4th Street, SW
Washington, DC 20024

Via Email w/ attachment

Advisory Neighborhood Commission 6D
Office@anc6D.org

Via Email w/ attachment

Tiber Island Cooperative Homes, Inc.
429 N Street, SW
Washington, DC 20024
Attention: Paul Greenberg and Paula Van Lare

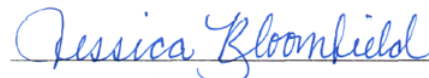
Via US Mail w/ attachment – 2 copies

Carrollsborg Square Condominium Association
1804 T Street, NW
Suite One
Washington, DC 20009
Attention: Henry Baker

Via US Mail w/ attachment

Waterfront Tower Condominium Board
c/o Hara Ann Bouganim
Vice President
haraannbouganim@comcast.net

Via Email w/ attachment


Jessica R. Bloomfield
Holland & Knight LLP



MASONRY TYPE "A"

ALUMINUM WINDOW

GLASS BALCONY RAILING

ALUMINUM GLAZING SYSTEM

MASONRY TYPE "B"

ALUMINUM GLAZING SYSTEM

GRANITE BASE



MATCH LINE 88

