

Mary Carolyn Brown
202 862 5990
carolyn.brown@hklaw.com

October 20, 2006

VIA ELECTRONIC MAIL

Maxine Brown-Roberts
Office of Planning for the
District of Columbia
801 North Capitol Street, N.E., 4th Floor
Washington, D.C. 20002

Re: Zoning Commission Case No. 06-13
1000 Connecticut Avenue PUD

Dear Maxine:

In response to the Office of Planning ("OP") report submitted to the Zoning Commission on October 13, 2006, we provide you with the following additional information on our amenities.

A. Housing Linkage and Affordable Housing Amenity: \$841,700

As recognized in OP's report, the PUD applicant has committed to contribute \$841,700 to the Marshall Heights Community Development Organization ("MHCDO") in fulfillment of the housing linkage requirement under section 2404 of the Zoning Regulations. Because the contribution exceeds the requirement under that section by 3,349 square feet, the contribution also qualifies as a public benefit of the PUD project. The calculations are as follows:

Total land area (incl. alley)	33,281 s.f.
Permitted office FAR (§2404.4(a))	9.5 FAR
Office gross floor area	316,170 s.f.
Office gfa provided	355,313 s.f.
Increased office gfa	39,144 s.f.
Required hsg linkage (HOA 33.3%)	13,035 s.f.
Value of required housing	\$669,608
Housing provided	16,384 s.f.
Housing Amenity (above required)	3,349 s.f.
Value of housing amenity	\$172,038
Percentage increase over required	25%

ZONING COMMISSION
District of Columbia

CASE NO. 06-13

EXHIBIT NO. 28

District of Columbia
CASE NO.06-13
EXHIBIT NO.28

Attached please find a letter from 1000 Connecticut Avenue Associates confirming the contribution of \$841,700 to MHCDO, and an acknowledgement letter from MHCDO accepting the contribution. (Attachment A.)

B. Dupont Circle Citizens Association Contribution: \$69,600

The PUD applicant has committed to contributing \$69,600 to the Dupont Circle Citizens Association to fund the improvements to the National Park Service triangular park at 20th & Q Streets, N.W. The Dupont Circle Citizens Association and the Historic Dupont Circle Main Streets Design Committee have been working with Karen Cucurullo, NPS Special Assistant for Partnerships, for the past few years to try to fund enhancements to the park. These organizations were informed, however, that funding for the improvements would not likely be in the Park Service's budget for many years and that the improvements could only practicably be realized if there was some public/private funding. As a result of the contribution from 1000 Connecticut Avenue Associates, the improvements can now be realized. Documentation of this contribution is attached as Attachment B.

C. Golden Triangle BID: \$50,000

The PUD applicant has also committed to contributing \$50,00 to the Golden Triangle Business Improvement District to fund its new GIS system. The system will allow the BID to map out hard assets of the BID (such as trash cans, light poles, trees, etc), enhance the sharing of data with D.C. government (such as where light poles need to be replaced, where crimes occur), and ultimately provide a platform for putting business information on the web and supporting the BID's internal database. The attached letter from 1000 Connecticut Avenue Associates and the acknowledgement letter from the BID provide further details on this amenity. (See Attachment C.)

D. Sustainable Design Elements

The attached list prepared by Pei Cobb Freed Architects describes in detail the sustainable design elements of the proposed PUD. The sustainable features encompass site, streetscape and roof design; water usage; energy usage, construction materials and resources, and indoor environmental quality. (See Attachment D.)

E. DSLBD and First Source Agreements

The agreements signed by the applicant were forwarded to the Department of Small and Local Business Development and the Department of Employment Services, respectively. DSLBD has requested additional information on the hard and soft costs of the project, which are being prepared and forwarded to Mr. Animashaun of that office. The applicant is seeking further confirmation that the agreements have been received by those offices and are being processed. However, because the building permit for the PUD will be conditioned on the implementation of these agreements, there is no dispute that these proffered amenities will be instituted.

F. DDOT Report

We are in receipt of the Department of Transportation's report on this project and agree to expand the width of the garage entrance to 20 feet. We further believe that the proposed pavers, benches and other fixtures included in the streetscape enhancements are consistent with past approvals of DDOT and represent a significant public benefit and amenity of the project. We are continuing to seek confirmation from DDOT of its endorsement of these high-quality improvements.

Should you have any questions or need any additional information, please do not hesitate to call me at (202) 862-5990.

Very truly yours,

A handwritten signature in black ink, appearing to read "Carolyn Brown", with a stylized, flowing script.

Carolyn Brown

Enclosures

cc: Albert Small
Michael Gewirz
Steven Gewirz
Roy Barris
Michael Tyler

1000 Connecticut Associates
Suite 1110
1000 Connecticut Avenue, N.W.
Washington, D.C. 20036-5327

October 19, 2006

Michael I. Watts, Jr.
Interim President and CEO
Marshall Heights Community Development Organization
3939 Benning Road, NE
Washington, DC 20019

**Re: Contribution to MHCDO in Satisfaction of Affordable Housing
Requirement for PUD at 1000 Connecticut Ave., N.W.**

Dear Mr. Watts:

In follow up to our letter dated January 3, 2006, and your recent discussions with Mike Tyler, 1000 Connecticut Avenue Associates would like to increase its contribution to the Marshall Heights Community Development Organization ("MHCDO") to assist in the construction of your affordable housing project at 4th Street and Mississippi Avenue, S.E. Washington, D.C. As set forth in our January letter, we originally committed to contribute \$641,700 to assist MHCDO in financing 12,834 square feet of space. We now wish to increase our pledge by \$200,000 to \$841,700, which will now assist in the financing of 16,384 square feet of residential space.

As noted in our earlier letter, 1000 Connecticut Avenue Associates ("Associates") will enter into a Contract Construction Agreement with MHCDO that will include the following provisions:

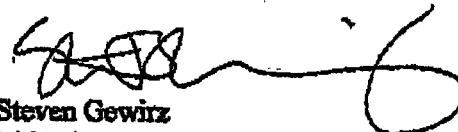
- a. The funds will be used to facilitate the construction of a minimum of 16,384 square feet of affordable housing at the 4th and Mississippi Avenue, S.E., site. More specifically, the funds will be used to write down the cost of offering some of the units to families earning 80 percent or less of the annual mean income. The funds will be distributed upon the issuance of a Certificate of Occupancy for Associates' PUD project at 1000 Connecticut Avenue, N.W., and the issuance of a Certificate of Occupancy for the affordable housing units.
- b. Upon completion of the affordable housing units, Associates shall have the right to review the final Certificates of Occupancy or equivalent documents. Certificates of Occupancy or an equivalent document issued

by the District of Columbia for the units and accepted by the permanent lender shall be evidence that the units have been completed.

- c. The funds will be paid directly to MHCDO once Associates has determined that the project meets the completion standard set forth in subparagraph "b" above.
- d. The Contract Construction Agreement will terminate once Associates has paid the funds to MHCDO. In the event that Associates is unable to release all of the funds because MHCDO has failed to complete the units, Associates will have the option of (i) working with MHCDO to find alternative housing to satisfy the obligation under the PUD project; or (ii) terminating their relationship with MHCDO and entering into a Contract Construction Agreement with another affordable housing provider to fulfill the requirements of the PUD project.
- e. Associates and MHCDO recognize that the required housing must be completed as a prerequisite to the issuance of a Certificate of Occupancy for the PUD project. Accordingly, MHCDO agrees to make every effort to complete the rehabilitation of the units within eighteen (18) months after the Contract Construction Agreement is signed by all parties. In the event the Contract Construction Agreement is not signed within three months after the Zoning Commission issues an order approving the PUD project, this letter shall expire.
- f. MHCDO agrees that the contribution to be provided by the Associates constitutes a significant required component of the PUD project. In recognition of this significant component, MHCDO agrees to support the PUD project by providing its expertise on the production of affordable housing in the District to agency officials, at the public hearing before the Zoning Commission on the PUD, and at other meetings, as appropriate.

We are pleased to have the opportunity to collaborate with you on the production of affordable housing and hope that the foregoing establishes a basis to enable us to move forward and enter into a relationship as described above.

Very truly yours,



Steven Gewirz
1000 Connecticut Avenue Associates



MARSHALL HEIGHTS COMMUNITY DEVELOPMENT ORGANIZATION, INC.

3939 Benning Road NE, Washington, DC 20019
(202) 396-1200 ~ (202) 396-4106 Facsimile ~ www.mhcdo.org

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October 20, 2006

Mr. Steven Gewirz

1000 Connecticut Avenue Associates

1000 Connecticut Ave., N.W.

Suite 1110

Washington, D.C. 20006

Re: Contribution to 4th & Mississippi SE Housing Project

Dear Mr. Gewirz:

We are in receipt of your letter dated October 19, 2006, and want to thank you for your generous commitment to contribute \$841,700 to the Marshall Heights Community Development Organization to assist in the write-down of costs for our affordable townhouse development at 4th Street and Mississippi Avenue, S.E. We recognize that the \$200,000 increase over your previous commitment is above and beyond what is required under the housing linkage requirements of the PUD regulations and we greatly appreciate the additional funds. Your contribution will now help write down the cost of 16,384 square feet of this exciting new development.

We look forward to working with you on this project and wish you every success in your PUD project.

Very truly yours,

Michael I. Watts, Jr.

Interim President and CEO

cc: Richard Hamilton, Board Chair

Floyd Myers, Vice Chair



October 16, 2006

Michael Gewirz
1000 Connecticut Avenue Associates
c/o Potomac Investment Properties
1666 K Street, N.W.
Washington, D.C. 20006

Dear Mr. Gewirz:

We are gratefully in receipt of your generous contribution of \$69,600 to DCCA. The funds will be used to renovate the small National Parks Service triangle park, Reservation No. 149, at 20th and Q streets with replacement of time worn pavers, drinking fountain, benches, trash receptacles, etc. and repair or replacement of granite curb stones as part of the project.

The coordination of the work will be done through Historic Dupont Circle Main Streets Design Committee in concert with Karen Cucuurullo, Special Assistant for Partnerships for the National Parks Service. We hope to start the project in the Spring of '07.

Thank you again for giving us this opportunity to enhance our neighborhood , help our businesses and make a good impression on all that go by the Triangle Park to the very busy Metro Stop across Q Street.

I hope too that the Park will become an attractive and inviting place for people to meet, and enjoy a moment of relaxation in a bustling urban environment.

Sincerely,

Ingrid Suisman
Design Chair
HDCMS

4115400_v1

From: Rob Halligan [President@Dupont-Circle.com]
Sent: Friday, October 20, 2006 1:02 PM
To: Maxine.Brown-Roberts@dc.gov
Cc: isuisman@aol.com; mtyler@tylerandassoc.com; carolyn.brown@hklaw.com
Subject: RE: DCCA Contribution

Maxine Brown-Roberts,

I understand you would like some additional background on our efforts to improve the park at 20th & Q Streets, N.W. The Dupont Circle Citizens Association and the Historic Dupont Circle Main Streets Design Committee have been working with Karen Cucurullo, NPS Special Assistant for Partnerships, for the past few years to try to fund enhancements to the park. Unfortunately, such improvement won't likely be in the Park Service's budget from many many years and the improvements could only practicably be realized if there was some public/private funding. Now, as a result of the contribution from 1000 Connecticut Avenue Associates, we finally have the necessary money to make this project a reality. We are delighted that the Associates has chosen to fund this significant benefit to the entire Dupont Circle community.

If you have any further questions or would like me to appear that hearing, do just ask.

Rob Halligan
202 319 1313
President DCCA



October 19, 2006

Steven Gewirz
1000 Connecticut Avenues Associates
c/o Potomac Investment Properties
1666 K Street, NW Suite 430
Washington, D.C. 20006

Dear Steven:

We are delighted that 1000 Connecticut Avenue Associates has chosen to contribute \$50,000 to the Golden Triangle BID as part of its proposed Planned Unit Development. Thanks to your generous contribution, we will be able to implement our plans for Geographic Information Systems (GIS). This new GIS system will allow us to better track data and to create maps by overlaying spatial and other information, such as building outlines and ownership information, streets, census data and transit stops. In the long-term, our vision for GIS is to support the BID's mission by supporting clean, safe streets, creating a strong sense of place, facilitating planning and economic development, and enabling the exchange of information with the public and the BID members through the BID's website.

The GIS project, which will begin shortly with the assistance of an experienced consultant team, will enable the BID to graphically display information in order to keep better track of its assets and to better plan for the use of its limited resources. As part of the project, we will collect information on the location and condition of street furnishings, trees, benches and public assets. The database will also enable the BID to keep an up-to-date survey of parking facilities, retail space, hotels, and office structures by location. This will enable BID staff and the Board to make informed decisions as to where it should focus its funds and attention as well as enable the BID to better communicate its needs with the appropriate government agency. By using the same platform, the BID and the District government will be more readily able to address day to day issues (such as the location of which light poles are burnt out) as well as long-term planning (such as forecasting which trees in the BID will need to be replaced and where new assets like multi-space parking meters should be placed). As planning and construction begin for the K Street project, the GIS system will prove invaluable.

Besides the collection of its own data and communication with city agencies, GIS will allow the BID to use data that has already been collected by many entities including the DC government, the Downtown BID, and the Metropolitan Washington Council of Governments (MWCOC). For instance, DC has collected and put into geographic format census data and information on transit lines, police stations and other public facilities, all of which the BID will be able to use. This will allow us to have access to much more information than what we actually collect on our

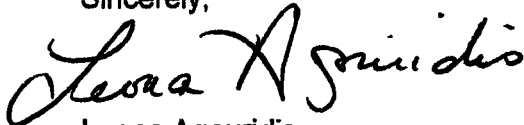
Steven Gewirz
10/19/06
Page 2

own. Likewise, the data that the BID collects will be shared with DC and the Downtown BID so that they may ensure that their projects take into account the specifics of the Golden Triangle's neighborhood.

GIS will be an incredible tool to help support the mission of the BID to supplement and enhance the services of the city and make the area attractive to businesses. It will be valuable for both the BID and the city agencies with whom we work in ensuring ongoing maintenance and continued and timely improvements to the streetscape and public assets within our neighborhood.

Thank you again for 1000 Connecticut Avenues Associates' generous and thoughtful contribution. We wish you every success in your exciting new project and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, reading "Leona Agouridis". The signature is fluid and cursive, with the first name "Leona" being more prominent and the last name "Agouridis" following in a similar style.

Leona Agouridis
Executive Director

**1000 CONNECTICUT AVENUE
Washington, D.C.**

13 October 2006

SUSTAINABLE DESIGN FEATURES

The following features of the architectural design may be considered sustainable design improvements to the development:

A. Site, Streetscape & Roof Design

1. *Bicycle Storage:* In-building parking for 15 bicycles shall be provided.
2. *Streetscape:* A threefold increased complement of trees (total of 9), and light colored paving materials, will reduce heat island effect.
3. *Landscaped Roof:* A garden roof (mostly extensive low profile "green roof" at main and Mech. PH roof) will reduce heat island effect and reduce, manage and filter stormwater runoff. Approximately 60% of the combined roof areas will be green roof.

B. Water Usage

1. *Limited Irrigation:* The garden roof plant varieties will require natural or captured rainfall for irrigation. Municipal water supply shall not be used.
2. *Water Use Reduction:* High efficiency fixtures and occupancy sensors will reduce municipal water supply and wastewater system usage.

C. Energy Usage

1. *Energy Performance:* The building envelope and building systems shall be designed to maximize energy performance. Building envelope performance shall significantly exceed local authority standard requirements.
2. *Ozone Protection:* Base building HVAC and fire suppression systems will not contain HCFC's and Halons.
3. *Light fixtures:* Energy efficient fixtures and light controls in base building spaces shall be used.
4. *Water heating:* High efficiency water heating (tankless system) shall be used.

D. Construction Materials & Resources

1. *Construction Waste Management:* A majority of the existing building structure (concrete, steel re-bar) demolition waste shall be recycled or otherwise salvaged to divert from landfill.
2. *Local / Regional Materials:* A minimum of 20% of base building materials by value shall be manufactured regionally within a radius of 500 miles.

3. *Recycled Content:* Approximately 10% of base building interior finish materials by value (incl. recycled content sheetrock if available) shall consist of high recycled (post consumer and/or post industrial) content.
4. *Certified Wood:* A minimum of 50% wood based materials and products by value shall be from certified sources in accordance with Forest Stewardship Council (FSC) principles.

E. Indoor Environmental Quality

1. *Carbon Monoxide Monitoring:* Occupiable space and basement parking levels shall be monitored with carbon monoxide sensors integrated with the building automation system.
2. *Ventilation Effectiveness:* HVAC systems shall be designed to optimize air change effectiveness within the base building spaces. High efficiency central air filtration shall be provided.
3. *Low VOC Materials:* Low VOC finish materials (adhesives, sealants, paints, carpet, bases, resilient flooring, composite wood, wall coverings, etc.) will be specified in the construction documents.
4. *Daylight:* A high ratio of window to perimeter wall area will be provided.