

DISTRICT WHARF

March __, 2023

Ms. Kathleen Beeton
Zoning Administrator,
Office of the Zoning Administrator
Department of Buildings
1100 4th Street SW
Washington, DC 20024

Re: 635 Wharf Street – Permit #B2310006 (TL2300042)

**Subject: Wharf Parcel 9 – Merchants Marina (Philippe Chow)
Operational Agreement**

Dear Ms. Beeton,

Phillipe DC LLC d/b/a Merchants Marina (“Merchants”) has secured permits (TL2200133 and TL2300042) (together, “Approved Permits”) that authorized, among other improvements, the construction of a canopy structure (“Canopy”) over café seating along Wharf Street SW, across from Parcel 9 and an associated ground-floor restaurant known as Phillipe, all in the locations shown on the attached site plan. The Canopy is an open structure with an operational louvered roof and operable roll-up curtains.

Merchants relied on the issuance of the Approved Permits for the Canopy (and the issuance of similar permits for many other enclosures along Wharf Street within the Planned Unit Development (“PUD”) approved in the Z.C. Case No. 11-03 et seq. and known as the Wharf), and Merchants moved forward with ordering materials and fabricating the structure of the Canopy in reliance on the Approved Permits. Merchants then filed a supplemental permit (B23100006) (“Supplemental Permit”) at DOB’s direction for structural review of the Canopy. DOB’s structural review approved the Supplemental Permit.

Consistent with recent communications regarding Supplemental Permits, Merchants hereby confirms that his has filed a modification of consequence to the PUD with the District of Columbia Zoning Commission to Z.C. Order No. 11-03J(1) (“Modification”) to confirm that the operable louvers and roll-up curtains for its outdoor café seating located at 635 Wharf Street SW is permitted under the approved PUD.

In the interim, while the Modification is under review by the Commission and to mitigate undue hardship placed upon Merchants, we request that the Supplemental Permit be released to allow for construction and inspection of the Canopy on the leased premises. During this interim period until the Zoning Commission has voted to approve the Canopy, Merchants agrees that it shall not operate the louvered roof or roll-up curtain systems while the outdoor café space is in use. Merchants reserves the right to operate the roof and curtains to secure the Canopy while construction is underway and when the establishment is closed in the interest of safety and security.

Our management and staff have been directed accordingly. This requirement is now part of the planned operation of the temporary structure.

Please let me know if you have any questions or require additional information to sign off on the pending building permit application.

Thank you again for your attention to this matter.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
PERMIT OPERATION DIVISION
Plans Approved
760 Maine Avenue SW
Washington, DC 20024
04/08/24
All work must be done strictly in accordance herewith an approved plans. Approved plans shall be kept on the site until completion of the construction. No inspection will be made without approved plans on site. The approval does not prevent a field inspection from ordering corrections to meet codes when issues are noted during inspections

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Permit No. 00000004/08/24

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Sincerely

Philippe DC, LLC



Abraham Merchant
Authorized Signatory

Cc: 3877 – David Tracz
Goulston & Storrs –David Avitabile, Shane Dettman

Wharf Phase 3 REIT Leaseholder LLC

Maria Thompson
Senior Vice President

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Owner


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