BEFORE THE ZONING COMMISSION
OF THE DISTRICT OF COLUMBIA

Affidavit in Support of the Applicant's Request for a Two-Year Extension of the Validity Periods for the North Parcel Second-Stage PUD Approval

Exhibit A

I, Ryan McKenna, being duly sworn, depose and state as follows:

1. I am Ryan McKenna, Senior Vice President and Treasurer of Toll Brothers, Inc., the parent company of Toll Apartments GP, LLC. Toll Apartments GP, LLC is the general partner of Toll Apartments, LP, which is a manager of TBSC Venture LLC. Through its ownership interests, TBSC Venture LLC ultimately controls TBSC Master Owner I LLC (the "**Applicant**").

2. I am authorized to submit this Affidavit on behalf of the Applicant. In my role, I am familiar with the Applicant's efforts to finance and advance the development of the property located at 50 M Street, N.W., also known as Lot 254 in Square 620 (the "**Property**"), and with the zoning approvals for the broader former Sursum Corda site, which is generally bounded by L Street, M Street, First Place, and First Street, NW.

3. I am familiar with the Applicant's efforts to advance the development of the Property since approval of the North Parcel's second-stage PUD and the subsequent time extension.

4. The Property is the "**North Parcel**" of the larger planned unit development ("**PUD**") site originally approved by the Zoning Commission pursuant to Z.C. Order No. 15-20 and modified and extended by subsequent orders. The North Parcel is separated from the "South Parcel" by a private street known as Banner Lane, NW.

5. The PUD site was formerly occupied by the Sursum Corda Cooperative and adjoining properties. The former improvements have been demolished, and the South Parcel has been redeveloped with two apartment buildings containing a total of 581 residential units.

6. The Zoning Commission approval history for the North Parcel is as follows:

    a. Z.C. Order No. 15-20, effective June 17, 2016, approved the first-stage PUD and related Zoning Map amendment for the overall PUD site.

    b. Z.C. Order No. 15-20A, effective June 30, 2017, extended the first-stage PUD approval by two years and required the filing of a second-stage PUD application for the South Parcel by June 30, 2019, for the first-stage approval of the North Parcel to remain valid until June 30, 2023.

c. Z.C. Order No. 15-20B, effective September 14, 2018, modified certain conditions governing certification of the Sursum Corda household list and notice to former Sursum Corda households regarding raze permit applications.

d. Z.C. Order No. 15-20C, effective March 13, 2020, approved the second-stage PUD for the South Parcel, modified the development program for the North Parcel, and approved an amended package of public benefits and amenities.

e. Z.C. Order No. 15-20D, effective November 10, 2023 (the "**Second-Stage Order**"), approved a Modification of Significance to the first-stage PUD and granted second-stage PUD approval for the North Parcel, with an initial deadline of November 10, 2025, to file a building permit application and November 10, 2026, to commence construction.

f. Z.C. Order No. 15-20E, effective January 16, 2026 (the "**Extension Order**"), extended the deadlines to file a building permit application and commence construction by one year, to November 10, 2026, and November 10, 2027, respectively.

7. The Second-Stage Order approved the development of the North Parcel with two mixed-use residential buildings known as the Northwest Building and the Northeast Building. Together, the buildings will contain approximately 753,497 square feet of gross floor area and 715 dwelling units, including 32 penthouse dwelling units (the "**Project**"). The Project will also include approximately 353 vehicle parking spaces, 296 bicycle parking spaces, and approximately 11,916 square feet of non-residential use.

8. Under the Extension Order, the Applicant must file a building permit application for the Project by November 10, 2026, and begin construction by November 10, 2027. The Applicant is requesting a two-year extension of those deadlines, to November 10, 2029, and November 10, 2030, respectively.

9. Since approval of the Second-Stage Order and the Extension Order, the Applicant has continued to pursue financing and other strategies necessary to advance the Project. These efforts have included discussions with lenders, investors, and capital providers, evaluation of public and private financing opportunities, and consideration of alternative capitalization structures, but have been unsuccessful.

10. The Applicant engaged Newmark Group Inc. ("**Newmark**"), a nationally recognized commercial real estate advisory firm, to assist in evaluating financing, capitalization, and development strategies for the Project and to identify potential sources of debt, equity, and other forms of project financing.

11. I have reviewed the letter prepared by Christine Espenshade, Vice Chairman of Newmark Multifamily Capital Markets, which is attached as **Exhibit 1** and is hereinafter referred to as the "**Newmark Letter**." I have also reviewed an internal market study prepared on behalf of the Applicant regarding multifamily development conditions in the District. The

conclusions of the Newmark Letter are consistent with the findings of that study and with the Applicant's experience pursuing financing for the Project.

12. Despite these conditions, the Applicant has continued to make good-faith efforts to obtain financing and advance the Project, including working with lenders, investors, and capital markets advisors, seeking tax-exempt bond financing through the DC Housing Finance Agency, considering alternative financing structures, and advancing construction drawings and other work needed to prepare the Project for construction.

13. Although the Applicant has not yet secured financing on terms that would allow the Project to proceed, the Applicant remains committed to the Project and will continue seeking financing so that development can move forward when market conditions improve.

14. The North Parcel is the final phase of the coordinated redevelopment of the former Sursum Corda site. Based on my experience with the Project and the market conditions described in the Newmark Letter, additional time would provide the Applicant with a reasonable opportunity to secure financing needed to advance the Project through permitting and construction and complete the final phase of the approved redevelopment program.

15. Based on the facts described above, I believe there is good cause to grant the requested two-year extension and related waiver, which would extend the deadline to file a building permit application to November 10, 2029, and the deadline to begin construction to November 10, 2030.

[SIGNATURE AND NOTARY ON FOLLOWING PAGE]

I solemnly affirm under the penalty of perjury that the contents of this Affidavit are true and correct to the best of my personal knowledge.

TBSC MASTER OWNER I LLC,
a Delaware limited liability company

By: TBSC HOLDING LLC,
a Delaware limited liability company
Sole Member

By: TBSC VENTURE LLC,
a Delaware limited liability company
Sole Member

By: TOLL APARTMENTS, LP
a Delaware limited partnership
Manager

By: TOLL APARTMENTS GP, LLC,
a Delaware limited liability company
General Partner

By: _____
Name: Ryan McKenna
Title: Senior Vice President, Treasurer

Commonwealth of Pennsylvania)
) ss:
County of Montgomery)

Sworn and subscribed to (or affirmed) before me this 30th day of September, 2026, by Ryan McKenna, as Sr. VP, Treasurer of Toll Apartments GP, LLC, General Partner of Toll Apartments, LP, Manager of TBSC Venture LLC, Sole Member of TBSC Holding LLC, Sole Member of TBSC Master Owner I LLC.

_____
Notary Public Signature

Printed Name: _____

My commission expires: _____
[Notary seal]

Commonwealth of Pennsylvania - Notary Seal
Karen A. Felice, Notary Public
Montgomery County
My commission expires November 1, 2026
Commission number 1048755
Member, Pennsylvania Association of Notaries

#544912198_v2

EXHIBIT 1

September 2, 2026

Re: Sursum Corda Phases 2 and 3

Chair and Members of the District of Columbia Zoning Commission:

My name is Christine Espenshade, and I am a Vice Chairman with Newmark Multifamily Capital Markets. I am writing based on my experience advising clients and marketing development opportunities throughout the Washington, D.C. region.

In my professional opinion, development of Phases 2 and 3 of Sursum Corda is not financially feasible under current market conditions. Interest rates remain elevated, construction costs continue to be exceptionally high, and the District's challenging employment environment has further weakened investor and lender confidence in new multifamily development.

These conditions are not unique to Sursum Corda, nor do they reflect a lack of commitment to the project. They are market-wide constraints that have made it extraordinarily difficult to finance and commence large-scale development in the District at this time. Preserving the project's approvals would allow the development team to move forward when capital markets and broader economic conditions improve.

Thank you for your consideration.

Respectfully,

Christine Espenshade

Vice Chairman

Newmark Multifamily Capital Markets

Christine Espenshade
Vice Chairman
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NEWMARK