## CERTIFICATE OF NOTICE

I HEREBY CERTIFY that a copy of the Notice of Intent to File a Zoning Application to the District of Columbia Zoning Commission for a Modification with Hearing of a Consolidated and First-Stage Planned Unit Development ("**PUD**") for TC McMillan West Owner LLC and TC McMillan South Owner LLC, both d/b/a Trammell Crow Company (collectively, the "**Applicant**") was mailed to Advisory Neighborhood Commission ("**ANC**") 5E, where the Property is located, and ANC 1E, which is across the street, and to the owners of all property within 200 feet of the perimeter of the subject property on June 8, 2026, as required by the Zoning Regulations of the District of Columbia, 11 DCMR (Zoning), Subtitle Z, Section 300.7. A copy of the notice is attached hereto.

The Applicant met with the Office of Planning regarding the proposed PUD modification on October 3, 2025, and has been engaged in conversations with the District Department of Transportation regarding the proposal. Pursuant to 11-Z DCMR § 300.9, the Applicant has also discussed the proposed PUD modification at duly noticed meetings of ANC 5E on June 16, 2026, and of ANC 1E on June 10, 2026. The Applicant has also attended meetings of the McMillan Advisory Group, the Bloomingdale Civic Association, and the Reservoir District Townhome HOA. The Applicant will continue to coordinate and consult with government agencies and the community on the proposal throughout the zoning process.

/s/
Shane L. Dettman

**NOTICE OF INTENT TO FILE A ZONING APPLICATION**

**Application to the**
**District of Columbia Zoning Commission for**
**Modification to an Approved Consolidated Planned Unit Development and**
**First Stage Planned Unit Development**

June 8, 2026[1]

TC McMillan West Owner LLC and TC McMillan South Owner LLC (the "Applicant"), owner of Parcels 1 and 3, hereby gives notice of its intent to file an application for modifications and additional flexibilities to an approved Consolidated and First Stage Planned Unit Development ("**PUD**") (the "**Application**"). The PUD was approved by the Zoning Commission ("**Commission**") in Z.C. Order No. 13-14(6) (2017) ("**Approved PUD**").

The subject properties in the Application are known as Parcel 1 and Parcel 3 of the former McMillan Reservoir Slow Sand Filtration Site (the "**Overall PUD Site**"), now known as the Reservoir District. The Overall PUD Site contains approximately 24.69 acres of land area and is bounded by North Capitol Street NW on the east, Michigan Avenue NW on the north, First Street NW on the west, and Channing Street NW on the south. Parcel 1, which consists of Lots 802 and 803 in Square 3128, contains approximately 214,555 square feet of land area and is in the northern portion of the Overall PUD Site, along First Street NW and Michigan Avenue NW, immediately north of the North Service Court. Parcel 3, which consists of Lots 811-813 in Square 3128, contains approximately 33,143 square feet of land area and is also in the northern portion of the Overall PUD Site, between Hazen Court NW and Olmsted Court NW and immediately south of the North Service Court.

The Approved PUD granted Consolidated PUD approval for a mixed-use healthcare / retail building on Parcel 1 (the "**Parcel 1 Building**") containing approximately 875,000 square feet of gross floor area ("**GFA**"), including approximately 15,000 square feet of retail space, for a maximum floor area ratio ("**FAR**") of approximately 4.08.[2] The Commission approved a maximum height of approximately 113 feet and a maximum lot occupancy of approximately 55% for the Parcel 1 Building.[3] As approved, the Parcel 1 Building contains approximately 1,900 vehicle and 200 bike parking spaces.

The Approved PUD granted First-Stage PUD approval for a mixed-use healthcare/retail building on Parcel 3 (the "**Parcel 3 Building**" and together with the Parcel 1 Building, the "**Buildings**"), consisting of approximately 173,000 square feet of GFA, including approximately 3,000 square

[1] This notice was first issued on June 1, 2026. However, due to a printing error the Applicant is reissuing the notice to ensure all property owners within 200 feet have received the full notice (three pages). No substantive changes have been made to the notice. As required under the Zoning Regulations, the Application will be filed with the Zoning Commission at least 45 days after the date of this reissued notice.
[2] The effective land area of Parcel 1, after removing street areas and Cell 14, is approximately 158,547 sq. ft., resulting in an effective FAR of 5.52 and an effective lot occupancy of approximately 74%.
[3] ZC Order 13-14(6).

feet of retail space, for a maximum FAR of approximately 5.22,[4] and a maximum height of approximately 110 feet.

In response to significant and unprecedented changes in the commercial real estate landscape since the Commission approved the Approved PUD, the Applicant proposes both modifications to the Approved PUD and additional future flexibility that will allow the Applicant to secure the tenants and uses needed to meet market interest, finance, and redevelop Parcels 1 and 3. ***The Application does not request any increases to the proposed height or density of the Approved PUD or modifications to the public benefits associated with the Approved PUD. Further, the Applicant will maintain the key master plan, site plan, urban design, historic preservation, and community commitments of the Approved PUD, which include the minimum retail space requirement on both parcels, view corridor along Half Street (Olmsted Court), Olmsted Walk, viewshed setback along First Street, setback from North Capitol Street, preservation of Cell 14, vehicular and loading access points, and the overall amount of open space ("Design Guidelines")***.

Use Modifications (both Parcels): Since approval of the Approved PUD, a series of factors have critically altered healthcare systems and continue to create significant uncertainty around their programmatic and space needs.

- While the Applicant still intends to pursue healthcare uses for the Buildings, the Applicant requests flexibility to substitute either alternative nonresidential uses (such as office, lodging, institutional, or entertainment/performing arts uses) or multifamily residential uses (i.e. no single-family homes or rowhouses) on both parcels.

- The Applicant also seeks flexibility to adjust the size of the Buildings to respond to user needs with a range of 160,000 – 875,000 square feet of GFA for the Parcel 1 Building and a range of 60,000 to 173,000 square feet of GFA for the Parcel 3 Building.

- The Applicant further seeks flexibility to add habitable penthouse space to the Buildings, subject to all height, density, setback, and other requirements of the Regulations.

The Applicant will maintain a minimum of 15,000 square feet of retail space in the Parcel 1 Building and a minimum of 3,000 square feet of retail space in the Parcel 3 Building.

Design Modifications (Parcel 1 Only): The Applicant anticipates that the Use Modifications described above may result in changes to the architectural form, exterior materials, and design of the Parcel 1 Building. Therefore, the Applicant will seek approval for design flexibility so that it can provide prospective users with a reasonable degree of assurance that the Parcel 1 Building can be completed without risk of further entitlement delay. ***Again, in all cases the Applicant will maintain compliance with the Design Guidelines in the Approved PUD***.

- For design modifications that adhere to the Design Guidelines and also maintain the same building form and exterior materials of the Approved PUD (in other words, only modify the architectural design), the Applicant seeks flexibility to make those changes, subject to

[4] The effective land area of Parcel 3, after removing street areas, is approximately 22,568 sq. ft., resulting in an effective FAR of 7.66 and an effective lot occupancy of approximately 91%.

the Zoning Administrator's standard review against the Approved PUD, which will affirm that the Parcel 1 Building remains consistent with the Design Guidelines, building form, and exterior materials of the Approved PUD.

- For design modifications that adhere to the Design Guidelines but alter the building form, exterior materials, and/or overall architectural design, the Applicant requests flexibility to make those changes, provided the Parcel 1 Building remains within the approved height (113' for healthcare uses, 110' for other uses) and lot occupancy (55%) for Parcel 1. The Zoning Administrator will review the modified design against the Design Guidelines to confirm compliance, and then refer the changes to the Commission for a 45-day period of review pursuant to Subtitle A, Section 304.7. The Commission will thus have the opportunity to also confirm that the modified design complies with the Design Guidelines, or request a further modification proceeding before the Commission if deemed necessary.

Any design changes will remain subject to review in accordance with the District's historic preservation law.

Parking and Loading. In connection with the above-described Use and Design Modifications, the Applicant will also seek flexibility to proportionately reduce the vehicle parking, bicycle parking, and loading facilities to reflect any adjustments to the use, size, and scale of the Buildings. In all cases the Applicant will maintain parking and loading in compliance with the minimum requirements of the current Zoning Regulations, ***and the Application will not increase the amount of vehicle parking associated with the Approved PUD***.

Phasing and Vesting. Finally, the Applicant will modify the construction phasing, deadlines for filing building permit applications, and deadlines for commencing construction for both Parcels.

Public Benefits and Project Amenities. As noted earlier, ***the Applicant does not propose any reductions to the public benefits associated with the Approved PUD, many of which have already been provided***. Should the Applicant elect to change all or a portion of the Buildings to a multifamily residential project, the Applicant will devote a minimum of 20% of the residential GFA to affordable housing, to be administered in accordance with the requirements of the Zoning Regulations.

The Application will be filed with the Zoning Commission pursuant to Subtitle X, Chapters 3 and 5 of the District of Columbia Zoning Regulations at least 45 days after the date of this notice (June 8, 2026), which is given pursuant to Subtitle Z §§ 300.7 and 300.8 of the Zoning Regulations. As required under Subtitle Z § 300.9 of the Zoning Regulations, before filing the Application, the Applicant will make all reasonable efforts to attend duly noticed meetings of Advisory Neighborhood Commission ("**ANC**") 5E and ANC 1E, the Affected ANCs in this matter.

If you require additional information regarding the Application, please contact the Applicant's land use counsel, David Avitabile, Goulston & Storrs, at (202) 721-1137 or davitabile@goulstonstorrs.com.