

Certificate of Notice

I HEREBY CERTIFY that a copy of the Notice of Intent to File a Zoning Application for a Modification to an Approved Planned Unit Development ("PUD") with the District of Columbia Zoning Commission under Chapter 24 for Lots 855, 856, 857, 858, and 859 in Square 499 was mailed to the owners of all property within 200 feet of the perimeter of the project site and the Advisory Neighborhood Commission for the area within which the property is located on November 25, 2014, at least ten (10) calendar days prior to the filing of the application for a modification to the approved PUD, as required by the Zoning Regulations of the District of Columbia, 11 DCMR §2406.7. A copy of the Notice is attached hereto.



Kyrus L. Freeman

11/25/14

Date

November 25, 2014

NOTICE OF INTENT TO FILE A ZONING APPLICATION

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

Mill Creek Residential Trust, on behalf of John Hancock Life Insurance Company, USA (owner of Lots 855, 856, 857, 858 and 859 in Square 499), hereby gives notice of its intent to file an application to modify an approved Planned Unit Development ("PUD") under Chapter 24 of the District of Columbia Zoning Regulations (11 DCMR §2400 *et seq.* (Feb. 2003)). The modification will be filed with the Zoning Commission for District of Columbia (the "Zoning Commission") not less than ten (10) days from the date of this notice. This notice is given pursuant to § 2406.7 of the Zoning Regulations.

The property that is the subject of this application consists of Lots 855, 856, 857, 858 and 859 in Square 499 (the "Subject Property"). The Subject Property is located in the southwest quadrant of the District and is bounded by K Street to the north, Square 542 to the east, M Street to the south, and 6th Street to the west. The Subject Property consists of approximately 135,263 square feet of land area and is located in Ward 6.

Pursuant to Zoning Commission Order No. 05-38, dated May 14, 2007 and effective October 26, 2007, the Zoning Commission approved a PUD and zoning map amendment and rezoned the Subject Property from the R-5-D District to the C-3-C District (the "Initial PUD Approval"). The Initial PUD Approval included up to 570 residential units spread among four residential buildings, including two existing buildings designed by the noted architect I.M. Pei. The Initial PUD Approval authorized construction of two new mixed-use buildings, each built to a maximum height of 112 feet and containing approximately 573 total parking spaces located in below-grade structures. The overall density approved as part of the Initial PUD Approval was 4.38 floor area ratio ("FAR"), or 592,471 square feet of gross floor area, with approximately 8,900 square feet of gross floor area devoted to ground floor retail and residential amenities (Z.C. Order No. 05-38, Finding of Fact No. 38(b)).

Pursuant to Zoning Commission Order No. 05-38A, dated December 8, 2008 and effective January 2, 2009, the Zoning Commission approved a number of modifications to the approved PUD (the "Modified PUD Approval"). The Modified PUD Approval authorized: refinements to the approved facades and roof structures of the various buildings; removal of the for-sale residential component; relocation of a pool; an increase the maximum number of units to 580 (256 existing plus 324 new); and modifications to amenities package.

The current PUD modification application seeks approval to make further modifications to the project. Specifically, the revised project will reduce the height of the proposed new residential buildings located on Lot 855 and Lot 859 from 112 feet to 85 feet each, which results in a reduction of the PUD's overall density from 4.38 FAR to 3.70 FAR (5,000 square feet of retail gross floor area and 237,864 square feet of residential gross floor area). The number of residential units will be reduced from 580 (256 existing plus 324 new) to 536 (256 existing plus

280 new). The number of parking spaces will be reduced from 573 spaces to 307 spaces, which meets the off-street parking requirements for the project. The building facades will also be modified to improve their relation to the context of the surrounding neighborhood. The PUD amenities will remain largely the same as those approved in Z.C. Order Nos. 05-38 and 05-38A, except that the lawn area between the two buildings will be retained, as requested by building residents and community members.

The developer is Mill Creek Residential Trust; the architect is SK+I Architecture; the landscape architect is Land Design; the civil engineer is Bowman Consulting; the traffic consultant is Gorove/Slade Associates, Inc.; and the land use counsel is Holland & Knight LLP. Should you need any additional information regarding the proposed PUD modification, please contact Kyrus L. Freeman, Esq. of Holland & Knight LLP at (202) 955-3000.

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