

Reunion Square – Building 4
Z.C. Case No. 08-07C
Second Stage PUD for Square 5784, Lots 899, 900, and 1101

Initial Submission – August 6, 2018

PROPOSED BENEFITS AND AMENITIES

<u>Proffer</u>	<u>Condition</u>
<p><u>Urban Design, Architecture, and Open Space (11 DCMR § 2403.9(a))</u>. Building 4 will have a positive impact on the visual and aesthetic character of the surrounding neighborhood and will advance the goals of urban design while enhancing the streetscape and creating new public open spaces. Building 4 will provide much needed new office space and community-serving ground floor retail that will enliven and provide additional pedestrian activity on the surrounding streets.</p> <p>Development of Building 4 will include widened sidewalks on W Street through a surface easement; public space improvements on W Street, Railroad Avenue, and Shannon Place such as new paving, street tree planting, landscaping, and/or bicycle racks; and a fully landscaped and designed courtyard in the center of Building 4 that includes specialty paving, benches, lighting, security cameras, electric outlets, trash and recycling receptacles, trees, and mixed and bio-retention plantings.</p>	<p>Building 4 shall be developed in accordance with the Architectural Drawings dated _____, (Ex. ____), (the “Architectural Drawings”), as modified by the guidelines, conditions, and standards of this Order.</p> <p>In accordance with the Architectural Drawings, Building 4 shall be a mixed use project with a maximum building height of 90 feet not including penthouses and a maximum density of approximately 287,886 square feet of gross floor area (4.4 FAR). A minimum of 6,644 square feet of gross floor area shall be devoted to retail space and approximately 281,242 square feet of gross floor area shall be devoted to office space. Building 4 shall include approximately 460 total parking spaces, comprised of approximately 324 zoning-compliant spaces and approximately 136 tandem spaces. Loading facilities for Building 4 shall include three loading berths at 30 feet deep, one 20 foot service/delivery space, and one 400 square foot loading platform.</p> <p>The public space improvements on W Street, Railroad Avenue, and Shannon Place shall be developed in accordance with Sheets ____ of the Architectural Drawings and shall include new paving, street trees, landscaping, and bicycle racks, as shown on Sheets ____ of the Architectural Drawings. The courtyard design shall be developed in accordance with Sheets ____ of the Architectural Drawings and shall include specialty paving, benches, lighting, security cameras, electric outlets, trash and</p>

	<p>recycling receptacles, trees, and mixed and bio-retention plantings.</p> <p><u>Prior to the issuance of the first certificate of occupancy for Building 4,</u> the Applicant shall demonstrate to the Zoning Administrator that the DC Council has approved street widening legislation to effectively extend the width of W Street, SE, consistent with the plat included as Sheet ___ of the Architectural Drawings (Ex. ___).</p>
<p><u>Employment Benefits (11 DCMR § 403.9(j)).</u> As part of construction of Building 4, the Applicant will (i) enter into a First Source Employment Agreement with the Department of Employment Services (“DOES”) that governs project components for which tax increment financing (“TIF”) is being used. The First Source Employment agreement will be consistent with the First Source Employment Agreement Act of 1984 and the form of agreement utilized at the time the PUD received first-stage approval in 2013; (ii) enter into a Certified Business Enterprises (“CBE”) Agreement applicable to Building 4, as approved and executed by the Department of Small and Local Business Development (“DSLBD”), to contract with CBEs for at least 35% of the contract dollar volume of the entire project for which TIF financing is being used, or otherwise as consistent with applicable law; and (iii) participate in an internship program with DOES.</p> <p>The Applicant shall notify ANC 8A and 7B at least 14 days in advance (when feasible) of new positions becoming available for the purpose of ANCs 8A and 7B to assist the Applicant in marketing new pre-development and/or construction employment opportunities to Ward 7 and 8 residents.</p>	<p><u>Prior to the issuance of the first certificate of occupancy for Building 4,</u> the Applicant shall demonstrate to the Zoning Administrator that it has submitted (i) an executed First Source Employment Agreement with DOES that governs project components for which TIF financing is being used. The First Source Employment Agreement shall be consistent with the First Source Employment Agreement Act of 1984 and shall be consistent with the form of agreement utilized at the time the PUD received first-stage approval in 2013; and (ii) an executed CBE Agreement with DSLBD that requires the Applicant to contract with CBEs for at least 35% of the contract dollar volume of the entire project for which TIF financing is being used, or otherwise as consistent with applicable law.</p> <p><u>Prior to the issuance of the first certificate of occupancy for Building 4,</u> the Applicant shall demonstrate to the Zoning Administrator that it has created or is participating in an internship program with DOES.</p> <p><u>During construction of Buildings 4, 5, and 8,</u> the Applicant shall notify ANC 8A and 7B at least 14 days in advance (when feasible) of new positions becoming available for the purpose of ANCs 8A and 7B to assist the Applicant in marketing new pre-development and/or construction employment opportunities to Ward 7 and 8 residents</p>

The Applicant will provide Predevelopment/Construction FTE Jobs (defined as a job that is approximately 24 months in duration, results from development of Buildings 4, 5, and/or 8, and involves a work week that is 30 hours or greater) and training/apprenticeship opportunities for residents of Wards 7 and 8 related to construction of Buildings 4, 5, and 8 as follows:

1. The Applicant will reserve a total of 15 Predevelopment/Construction FTE Jobs spread across Buildings 4, 5, and/or 8, and will include this requirement in the terms of the major trade sub-contracting agreement(s) to ensure compliance;
2. The Applicant will provide first notice of availability and first opportunity to interview for the Predevelopment/Construction FTE Jobs to Ward 7 and 8 residents, and will submit the Predevelopment/Construction FTE Job listings to ANCs 8A and 7B two weeks prior to distributing the same to DOES and four weeks prior to distributing the same to the general public; and
3. The Applicant will provide training and apprenticeship opportunities for the Ward 7 and/or 8 residents who are hired for the Predevelopment/Construction FTE Jobs in order to advance their skills and employment prospects beyond the completion of the respective building.

The Applicant will reserve a total of three Permanent FTE Jobs (defined as a job that involves a 30-hour or more work week) for Ward 7 or 8 residents spread across Buildings

During construction of Buildings 4, 5, and 8, the Applicant shall provide, or the Applicant shall contractually obligate and enforce its contractor(s) and/or subcontractor(s) to provide, Predevelopment/Construction FTE Jobs and training/apprenticeship opportunities for residents of Wards 7 and 8 as follows:

1. The Applicant (or its contractor(s) and/or subcontractors, as noted above) shall reserve a total of 15 Predevelopment/Construction FTE Jobs spread across construction of Buildings 4, 5, and/or 8, and shall include this requirement in the terms of the major trade subcontracting agreement(s) to ensure compliance;
2. The Applicant (or its contractor(s) and/or subcontractors, as noted above) shall provide first notice of availability and first opportunity to interview for the Predevelopment/Construction FTE Jobs to Ward 7 and 8 residents, and shall submit the Predevelopment/Construction FTE Job listings to ANCs 8A and 7B two weeks prior to distributing the same to DOES and four weeks prior to distributing the same to the general public;
3. The Applicant (or its contractor(s) and/or subcontractors, as noted above) shall provide training and apprenticeship opportunities for the Ward 7 and/or 8 residents who are hired for the Predevelopment/Construction FTE Jobs in order to advance their skills and employment prospects beyond the completion of the respective building.

The Applicant shall reserve a total of three Permanent FTE Jobs for Ward 7 and/or 8 residents spread between Buildings 4, 5, and/or

<p>4, 5, and/or 8. The Permanent FTE Jobs will be in fields such as, but not limited to, property management, parking operations, janitorial maintenance, and retail operations, and will be provided for a minimum of six years following the issuance of the first certificate of occupancy for the building in which the Permanent FTE Job is located. In furtherance of the foregoing, the Applicant shall:</p> <ol style="list-style-type: none"> 1. Encourage retail tenants to employ residents of Wards 7 and 8 in entry level management and professional positions; 2. Collaborate with ANCs 8A and 7B to disseminate information regarding available employment positions to Ward 7 and 8 residents and to identify qualified, trained and readily available workers; 3. Notify ANCs 8A and 7B at least 14 days in advance (when feasible) of new employment positions becoming available; 4. Appoint an individual responsible for disseminating job information to ANCs 8A and 7B and interfacing with the community during and after the development cycle; and 5. Work with its property management company and retail partner(s) to encourage those parties to engage DOES. 	<p>8 or located in any of Buildings 4, 5, and/or 8. The Permanent FTE Jobs shall be in fields such as, but not limited to, property management, parking operations, janitorial maintenance, and retail operations and <u>shall be provided for a minimum of six years following the issuance of the first certificate of occupancy for the building in which the Permanent FTE Job is located.</u></p> <p>In furtherance of the foregoing, the Applicant shall:</p> <ol style="list-style-type: none"> 1. Encourage retail tenants to employ residents of Wards 7 and 8 in entry level management and professional positions; 2. Collaborate with ANCs 8A and 7B to disseminate information regarding available employment positions to Ward 7 and 8 residents and to identify qualified, trained and readily available workers; 3. Notify ANCs 8A and 7B at least 14 days in advance (when feasible) of new employment positions becoming available; 4. Appoint an individual responsible for disseminating job information to ANCs 8A and 7B and interfacing with the community during and after the development cycle; and 5. Work with its property management company and retail partner(s) to encourage those parties to engage DOES
<p><u>Environmental Benefits (11 DCMR § 2403.9(h)).</u> The Applicant will ensure environmental sustainability through the implementation of a variety of design features for Building 4, including (i) installing approximately ___ square feet of solar panels</p>	<p><u>Prior to the issuance of the first certificate of occupancy for Building 4,</u> the Applicant shall demonstrate to the Zoning Administrator that it has:</p>

<p>on Building 4 that will generate a portion of Building 4’s energy consumption; and (ii) designing Building 4 to achieve LEED Gold Certification under LEED Gold v4 for Building Design and Construction, and certifying Building 4 as LEED-Gold with the United States Green Building Council (“USGBC”).</p>	<ol style="list-style-type: none"> 1. Installed approximately ___ square feet of solar panels on Building 4; and 2. Designed Building 4 to achieve LEED Gold Certification under the USGBC’s LEED v4 for Building Design and Construction rating system and registered Building 4 with the USGBC to commence the LEED Certification process.
<p><u>Uses of Special Value to the Neighborhood and the District of Columbia as a Whole (11 DCMR § 2403.9(I))</u></p> <p><u>Public Courtyard.</u> The Applicant will make Building 4’s courtyard accessible to the public during normal daytime hours and will provide ADA-access from Shannon Place. The Applicant will close the courtyard at night, will keep the courtyard clean and well-maintained, and will permit the courtyard to be available for use by community organizations during evening and weekend hours, subject to a scheduling process to be developed by the Applicant, the property manager, and the signatory organizations to the CBA. Reservation and use of the courtyard will be subject to rules and requirements, including that any organization utilizing the courtyard for events will be responsible for any costs associated with cleaning, security, building porter assistance, and providing insurance for use of the courtyard during its event. The Applicant will provide electric outlets in the courtyard and make them available for use by the public during organized events.</p> <p><u>Contributions to Local Organizations.</u> The Applicant will make financial contributions to local organizations as follows, with the contribution to be used for the purposes described herein:</p> <ol style="list-style-type: none"> 1. Contribute \$_____ to the Anacostia Coordinating Council (“ACC”) to assist with ACCs programs and efforts 	<p><u>Public Courtyard. For the life of Building 4,</u> the Applicant shall</p> <ol style="list-style-type: none"> 1. Make Building 4’s courtyard accessible to the public during normal daytime hours; 2. Provide ADA-access to the courtyard from Shannon Place; 3. Close the courtyard at night, 4. Keep the courtyard clean and well-maintained; 5. Permit the courtyard to be available for use by community organizations during evening and weekend hours, subject to a scheduling process to be developed by the Applicant, the property manager, and the signatory organizations to the CBA, included as Exhibit ___; and 6. Provide electric outlets in the courtyard and make them available for use by the public during organized events. <p><u>Contributions to Local Organizations. Prior to the issuance of the first certificate of occupancy for Building 4,</u> the Applicant shall demonstrate to the Zoning Administrator that it has done the following:</p> <ol style="list-style-type: none"> 1. Contributed \$_____ to the ACC to assist with ACCs programs and efforts including, but not limited to: (i) co-

including, but not limited to: (i) co-sponsoring the annual Dr. Martin Luther King Jr. Parade and Peace Walk in Ward 8; (ii) cosponsoring monthly Ward 8 Faith Leaders Breakfast Meetings with the East of the River Clergy Police Community Partnership; (iii) promoting and supporting the Theater Alliance productions at the Anacostia Playhouse; (iv) co-sponsoring Ward 8 National Night Out Against Crime; (v) sponsoring the Annual Ward 8 Multicultural Holiday Celebration and Youth Gift Drive; and/or (vi) other similar programming as approved by the ACC Executive Director.

2. Contribute \$_____ to the Far Southeast Family Strengthening Collaborative (“FSFSC”) to assist with FSFSC’s Family Services programs and initiatives including, but not limited to: (i) the “Men and Boys” program; (ii) the School-Based Truancy Prevention program; (iii) the Rapid Housing Assistance program; (iv) the Nurturing Parenting Program; and/or (v) other similar programs as approved by the FSFSC Board President.

3. The Applicant shall contribute \$_____ to the L’Enfant Trust’s Historic Properties Redevelopment Program to assist with the L’Enfant Trust’s efforts to rehabilitate and reuse vacant and abandoned historic

sponsoring the annual Dr. Martin Luther King Jr. Parade and Peace Walk in Ward 8; (ii) cosponsoring monthly Ward 8 Faith Leaders Breakfast Meetings with the East of the River Clergy Police Community Partnership; (iii) promoting and supporting the Theater Alliance productions at the Anacostia Playhouse; (iv) co-sponsoring Ward 8 National Night Out Against Crime; (v) sponsoring the Annual Ward 8 Multicultural Holiday Celebration and Youth Gift Drive; and/or (vi) other similar programming as approved by the ACC Executive Director. The Applicant shall provide proof to the Zoning Administrator that the contribution has been made to ACC and that one or more of the items listed above or similar services have been or are being provided by ACC.

2. Contributed \$_____ to the FSFSC to assist with FSFSC’s Family Services programs and initiatives including, but not limited to: (i) the “Men and Boys” program; (ii) the School-Based Truancy Prevention program; (iii) the Rapid Housing Assistance program; (iv) the Nurturing Parenting Program; and/or (v) other similar programs as approved by the FSFSC Board President. The Applicant shall provide proof to the Zoning Administrator that the contribution has been made to FSFSC and that one or more of the programs listed above or similar programs have been or are being provided by FSFSC.

3. Contributed \$_____ to the L’Enfant Trust’s Historic Properties Redevelopment Program to assist with the L’Enfant Trust’s efforts to rehabilitate and reuse vacant and abandoned historic structures within the Anacostia Historic District. The

structures within the Anacostia Historic District.

4. The Applicant shall contribute \$_____ to Building Bridges Across Rivers to support the 11th Street Bridge Park's Douglass Community Land Trust in preserving and increasing affordable housing and preventing displacement and/or to support initiatives that provide leadership, management, and financial oversight of the Town Hall Education Arts Recreation Campus ("THEARC").

In the event that any of the organizations receiving funds pursuant to this Order appeal the Zoning Commission's approval of Building 4, 5, and/or 8, the Applicant's contribution obligations to that organization shall automatically terminate.

Affordable Local Retail Rent. The Applicant will support existing and emerging local businesses by offering a total of 2,000 square feet of "Affordable Local Retail" spread across Buildings 4, 5, and/or 8. Affordable Local Retail rental rates will be 75% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of

Applicant shall provide proof to the Zoning Administrator that the contribution has been made to L'Enfant Trust's Historic Properties Redevelopment Program and that funds have been or will be expended to support the rehabilitation and reuse of one or more vacant/abandoned historic structure within the Anacostia Historic District.

4. Contributed \$_____ to Building Bridges Across Rivers to support the 11th Street Bridge Park's Douglass Community Land Trust in preserving and increasing affordable housing and preventing displacement and/or to support initiatives that provide leadership, management, and financial oversight of the THEARC. The Applicant shall provide proof to the Zoning Administrator that the contribution has been made to Building Bridges Across Rivers and that funds have been or will be expended to support the Douglass Community Land Trust in preserving and increasing affordable housing and preventing displacement and/or to the initiatives listed above provided by THEARC.

In the event that any of the organizations receiving funds pursuant to this Order appeal the Zoning Commission's approval of Building 4, 5, and/or 8, the Applicant's contribution obligations to that organization shall automatically terminate.

Affordable Local Retail Rent. The Applicant shall reserve a total of 2,000 square feet of Affordable Local Retail spread between Buildings 4, 5, and/or 8 or located in any of Buildings 4, 5, and/or 8. The Affordable Local Retail provided in each building shall be provided for a minimum of three years following the issuance of first certificate of occupancy for the building in which the

the PUD Site, exclusive of tenant improvements, at the time that the Affordable Local Retail is leased.

Hospitality Use or Training for Building 5. Development of the hotel portion of the PUD within Building 5 will generate new employment opportunities. Accordingly, for the first 2.5 years following the execution of the community benefits agreement between the Applicant and ANC 8A (the “CBA”) (Ex. ___) the Applicant will actively pursue a hospitality training program partner to be located within Building 5, and if successful, will partner with that program for the recruitment, screening, training, and referral of hotel employees, with a goal of achieving a minimum of 10% of hotel employees being Ward 7 and/or Ward 8 residents

Anacostia Playhouse for Building 8. For the first five years following issuance of the first certificate of occupancy for Building 8, the Applicant will offer a minimum of 4,000 square feet of floor area to the Anacostia Playhouse at subsidized rental rates. Rental rates will be as follows:

1. Year 1: 25% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements;
2. Years 2-3: 50% of the base market rental rate as determined by using 7-10 comparable rental rates within a half

Affordable Local Retail is located. The Affordable Local Retail rental rates shall be 75% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements, at the time that the Affordable Local Retail is leased.

Hospitality Use or Training for Building 5. **For the first 2.5 years following the execution of the CBA,** the Applicant shall actively pursue a hospitality training program partner to be located within Building 5, and if successful, will partner with that program for the recruitment, screening, training, and referral of hotel employees, with a goal of achieving a minimum of 10% of hotel employees being Ward 7 and/or Ward 8 residents.

Anacostia Playhouse for Building 8. The second-stage PUD Order for Building 8 shall include the following proffer:

For the first five years following the issuance of the first certificate of occupancy for Building 8, the Applicant shall offer a minimum of 4,000 square feet of floor area to the Anacostia Playhouse at subsidized rental rates. Rental rates shall be as follows:

1. Year 1: 25% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements;
2. Years 2-3: 50% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements; and

mile of the PUD Site, exclusive of tenant improvements; and

3. Years 4-5: 75% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements.

3. Years 4-5: 75% of the base market rental rate as determined by using 7-10 comparable rental rates within a half mile of the PUD Site, exclusive of tenant improvements.

Transportation Mitigation

<p>The Applicant commits to the following transportation demand management (“TDM”) measures:</p> <ol style="list-style-type: none">1. The Applicant will identify a TDM leader (for planning, construction, and operations). The TDM leader will work with employees in Building 4 to distribute and market various transportation alternatives and options.2. The Applicant will work with DDOT and goDCgo (DDOT’s TDM program) to implement TDM measures at Building 4.3. The Applicant will share the full contact information of the TDM leader for Building 4 with DDOT and goDCgo.4. The Applicant will post all TDM commitments online, publicize availability, and allow the public to see what commitments have been promised.5. The Applicant will provide retail employees who wish to carpool with detailed carpooling information and will refer them to other carpool matching services sponsored by the Metropolitan Washington Council of Governments (“MWCOG”).6. The Applicant will provide 82 long-term and 10 short-term bicycle parking spaces for Building 4.	<p><u>For the life of Building 4 or as otherwise noted below</u>, the Applicant shall implement the following TDM measures:</p> <ol style="list-style-type: none">1. The Applicant shall identify a TDM leader (for planning, construction, and operations). The TDM leader shall work with employees of Building 4 to distribute and market various transportation alternatives and options.2. The Applicant shall work with DDOT and goDCgo to implement TDM measures at Building 4.3. The Applicant shall share the full contact information of the TDM leader for Building 4 with DDOT and goDCgo.4. The Applicant shall post all TDM commitments online, publicize availability, and allow the public to see what commitments have been promised.5. The Applicant shall provide retail employees who wish to carpool with detailed carpooling information and shall refer them to other carpool matching services sponsored by MWCOG.6. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has installed a minimum of 82 long-term and 10 short-term bicycle parking spaces, as shown on the Architectural Drawings.
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<p>7. The Applicant will provide a bicycle repair station in the secure long-term bicycle storage room in Building 4.</p> <p>8. The Applicant will provide changing facilities in Building 4 that include six showers and 49 lockers for employees of the retail and office uses.</p> <p>9. The Applicant will install a Transportation Information Center Display (electronic screen) within the lobby of Building 4 containing information related to local transportation alternatives.</p> <p>10. The Applicant will fund and install a 19-dock Capital Bikeshare station within the PUD Site and provide funding for one year of maintenance and operations.</p> <p>11. The Applicant will fund and install the expansions of three nearby existing Capital Bikeshare stations to 19 docks (Pleasant Street, Good Hope Road, and Shannon Place).</p>	<p>7. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has installed a bicycle repair station in one of the secure long-term bicycle storage rooms in Building 4.</p> <p>8. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has installed six showers and 49 lockers for employees of the retail and office uses in Building 4.</p> <p>9. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has installed a Transportation Information Center Display (electronic screen) within the lobby of Building 4 containing information related to local transportation alternatives.</p> <p>10. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has funded the installation of a 19-dock Capital Bikeshare station within the PUD Site and has set aside funding for one year of maintenance and operations for the station.</p> <p>11. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has funded the expansion of three nearby existing Capital Bikeshare stations to 19 docks at stations located at (i) the intersection of Pleasant Street and Martin Luther King Jr. Avenue; (ii) the intersection of Good Hope Road and Martin Luther King Jr. Avenue; and</p>
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<p>12. The Applicant will dedicate two parking spaces within the garage of Building 4 for car-share services. If a car-share provider(s) chooses not to locate vehicles in those spaces, then the Applicant will host a transportation event for employees of Building 4.</p> <p>13. The Applicant will dedicate nine parking spaces within the garage of Building 4 as electric vehicle charging stations.</p>	<p>(iii) the dead-end portion of Shannon Place.</p> <p>12. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has offered two parking spaces within the garage of Building 4 for car-sharing services. If no agreement has been reached with a car share company for either of the two parking spaces prior to the issuance of the first certificate of occupancy for Building 4, then the Applicant shall host a transportation event for employees of Building 4 within the first year following the issuance of the first certificate of occupancy for Building 4.</p> <p>13. <u>Prior to the issuance of the first certificate of occupancy for Building 4</u>, the Applicant shall demonstrate to the Zoning Administrator that it has dedicated nine parking spaces within the garage of Building 4 as electric vehicle charging stations.</p>
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