

Exhibit 1

Section 2403.8

Section 2403.8 requires the Commission to balance the value of the benefits and amenities proffered by the Applicant against the degree of development incentives requested and any potential adverse effects of the project. As demonstrated in the chart below, as a result of clustering the dwelling units and creating common open space/parks, the Applicant requests flexibility from the matter-of-right requirements with regard to:

- the rear yard requirements;
- side yard requirements;
- the requirements of Section 2516;
- building height; and
- residential use-type.

Please note, as shown on Exhibit 4, a matter-of-right development could achieve a total of 39 dwelling units (10 single family detached in the R-1-B portion of the site and a 29 unit apartment building in the R-5-A Zone portion of the site). In all, the Applicant seeks minimal flexibility for the implementation of this PUD.

Standard	Matter-of-Right	R-5-A PUD	Proposed	Relief Required	
				M.O.R.	PUD
Use	Detached and apartments	Rowhouses	Rowhouses	Y	N
Number of Units	39 (see <u>Exhibit 4</u>)	No maximum	36	N	N
FAR (GFA)	1.1 (blended) (133,967)	1.0 (120,994)	.96 (115,637)	N	N
Height	40 feet (3 stories)	60 feet	7 units = 42' 29 units = 40' or less 15 units = 3 stories 21 units = 4 stories	Y	N
Lot occupancy	40%	40%	27.5%	N	N
Rear Yard	20-25 feet	20 feet	13 to 80 feet	Y	Y

Side Yard	8 feet	8 feet	4.5 feet minimum	Y	Y
Parking	Min. of 36 spaces	Min. of 36 spaces	48 spaces	N	N
Section 2516					
- Height	40 feet (3 stories)	N/A	Max 42'(4 stories)	Y	N/A
- FAR	1.1 blended	N/A	Max 3.3	Y	N/A
- Rear Yard	20 – 25 feet	N/A	Min. 4.5'	Y	N/A
- Side Yard	8 feet	N/A	Min. 4.5'	Y	N/A
- Lot Occ.	40%	N/A	Max 88%	Y	N/A
- Front Yard	20 – 25 feet	N/A	Min. 7.5'	Y	N/A
- 25' roads	25 feet	N/A	20 feet (FEMS approval)	Y	N/A
- 60' turn'g area	60 feet	N/A	None needed; (FEMS approval)	Y	N/A

The proposed density, height, and lot occupancy are well within the parameters of development for a R-5-A PUD.

In exchange for this flexibility, the Applicant is providing the following benefits and amenities:

1. Affordable Housing

- Provide two (2) affordable housing units at a cost of approximately **\$800,000**. The Applicant disagrees with the ANC that the affordable housing units are distinguishable from the market-rate units. The same materials and finishes are proposed for the exterior of the affordable units as the market-rate units. The height of the units will appear the same along MacArthur Boulevard since the roof terraces on the market-rate units are set back and will not be visible from a pedestrian's perspective on the street. With regard to the width and depth of the affordable units, Section 2605 (Inclusionary Zoning) of the Zoning Regulations does not require affordable units to be the same size as market-rate units. In fact, such a requirement was specifically abandoned in an effort to net additional affordable units. See Exhibit 5.

2. Environmental Benefits – provided at a cost of approximately **\$750,000** (above that which is required by D.C. Law)

- Meeting standards for LEED-ND;
- Meeting standards set by NAHB Model Green Home Building Guidelines;
- Re-planting a majority of native plant and tree species throughout the Property;
- Creating a rain garden;
- Providing public open spaces;
- Creating a “wetlands overlook” and butterfly garden;
- Cleaning and enhancing the existing wetlands through native plantings;
- Using “Green Alley” permeable pavers;
- Creating a storm water management system to provide both water quality and quantity control; and
- Installing bike racks in all garages.

3. Uses of Special Value

- Allocating **\$50,000** to beautification of MacArthur Boulevard;
- Contributing **\$15,000** to Palisades Community Fund;
- Offering universal design options to pre-construction homebuyers;
- Complying with construction management plan;
- First Source employment program;
- Maintaining the Open Spaces/Parks for public use;
- Provides efficient and safe vehicular and pedestrian access;
- Provides superior urban design and architecture;
- Provides efficient and economical land uses; and
- Consistent with Comprehensive Plan.

These proffers will be made part of the PUD Order and will be recorded against the Property through the PUD Covenant, and thus become binding commitments from the Applicant if the proposed project is approved.

Please note that the bollards that are proposed to separate Lingan Road (a public right-of-way) and Lingan Way (private property) are provided in order to satisfy the request of neighboring property owners. FEMS has approved the bollards; DDOT, which does not have jurisdiction over the bollards since they are located on private property, nevertheless objects to them based on aesthetic reasons, not life-safety concerns. DDOT has stated, on the record, that a connection between Lingan Road and Lingan way is not necessary, nor desirable, for traffic circulation.