

Memorandum

VIA E-MAIL

Date: June 7, 2007

To: Matthew Jesick
Office of Planning

From: Christy Moseley Shiker *CM*

Re: ***Waterfront – ZC Case No. 02-38A
Response to Conditions in OP Report***

Christine Moseley Shiker
202 457-7167
christine.shiker@hklaw.com

As we discussed this morning, the Applicant in the above-referenced case responds to the conditions in the Office of Planning report as follows:

- Additional pedestrian safety measures at the intersection of the public plazas and 4th Street

The Applicant has provided a revised plan showing the crosswalks at the metro plaza and 4th Street, which includes safety measures such as pedestrian signalization, bulb outs, and special paving. A copy of the proposed plan is attached.

- Additional information regarding the percentage of affordable units available to households earning less than 80% of the Area Median Income

The Applicant agrees that at least 8% of the gross floor area within the East and West Residential Towers (which equals approximately 32,000 square feet) will be available to households earning 80% of AMI or less.

- Commitment to an even distribution of affordable units between the east and west towers and the northeast building

The Applicant agrees that the affordable housing units will be evenly distributed between the East and West Residential Towers (approximately 80,000 square feet of gross floor area) and the Northeast Residential Building (approximately 80,000 square feet of gross floor area). The Applicant further agrees that the affordable housing units will be generally evenly distributed between the East and West Residential Towers. The Applicant will not include any affordable housing in the Northwest Building.

ZONING COMMISSION

CASE No. 02-38A

EXHIBIT No. 54 ZONING COMMISSION

District of Columbia
CASE NO.02-38A
EXHIBIT NO.54

- Any change from a grocery use requires Zoning Commission approval as a PUD modification

The Applicant agrees to develop the project in accordance with the plans set forth at Page 1.10 of the Second-Stage Plan Book (which shows the grocery store constructed) or Page 1.11 of the Second-Stage Plan Book (which shows the site plan option in the event that Safeway is maintained in its current location). In the event that the grocery store is not constructed in Phase One of the project, the Applicant commits not to use the unconstructed grocery store space for any use other than a grocery store unless it returns to the Zoning Commission for approval.

- Future Stage-Two PUD submissions:

NCRC will submit its stage-two application for the Northeast Building independently from Waterfront Associates. Waterfront Associates will submit its stage-two applications for the remaining phases at the same time, in any combination or individually. In any event, all four remaining buildings will be submitted as part of stage-two applications in accordance with the following schedule:

In the event that the grocery store is constructed in Phase One of the project or that Safeway surrenders its premises under the existing lease, the Applicant commits to filing the stage-two PUD application for the East M Street Building within five years of the date that the existing grocery store vacates the site, but no later than December 31, 2020, while all other second-stage PUD applications (i.e., Waterfront Associates' applications for the Northwest Building and for the West M Street Building and NCRC's application for the Northeast Building) will be required to be filed within five years of the effective date of the PUD order approving the modification to the Approved First-Stage PUD.

In addition, the Applicant has increased its commitment to sustainable design features for the East and West Residential Towers, with the goal of achieving a LEED Certified rating. The full list of sustainable design features proposed for the East and West Residential Towers is attached hereto. The Applicant continues to have the goal of achieving a Silver LEED Certified rating for the East and West 4th Street Office Buildings. The list of sustainable design features for those buildings was submitted as Exhibit A to the Applicant's Supplemental Prehearing Submission.

We appreciate your help in this matter. Should you have any questions, please do not hesitate to call me.

Enclosures



W A T E R F R O N T WASHINGTON, D. C.



shalom baranes associates architects

Stage 1 PUD Modification & Stage 2 Submission

JUNE 7, 2007 | copyright © 2008 sba, pc

Cross Walks (adjacent to Metro at E/W Plazas)

East and West Tower Converted Residential Buildings

The following Sustainable Design Elements are 21 items that the owner has committed to provide for the project. The project is registered with the U.S. Green Building Council, and will be submitted for review with the goal of achieving a LEED Certified rating. The project will be designed in accordance with the definitions used in LEED for New Construction Version 2.2.

Sustainable Sites

Erosion and Sedimentation Control:

An erosion and sediment control plan will be required in conformance with Local code or the 2003 EPA Construction General Permit to contain soil, and prevent sedimentation and dust during demolition and construction. Preliminary plans and details have been included in the Filing documents.

Site Selection:

Verification that the site does not violate any of the prohibited site characteristics as defined by LEED.

Urban Redevelopment (Development Density and Community Connectivity):

Verification that either 10 basic community services within a ½ mile radius, or that the site is within a community with at least a 1.5 average FAR.

Hazardous Materials Abatement (Brownfield Redevelopment):

All hazardous materials will be removed in accordance with Local and Federal regulations and guidelines.

Alternative Transportation-15% bike storage:

Bike storage will be provided for 15% of the total number of units constructed.

Alternative Transportation-public transportation:

Verification of distance of less than 1/2 mile to the Metro or 1/4 mile to 2 bus line stops.

Alternative Transportation: Low-Emitting & Fuel Efficient Vehicles

Preferred parking will be provided for low-emitting and fuel-efficient vehicles for 5% of the total vehicle parking capacity of the site.

Stormwater management (Quality):

Filtration and stormwater tank meeting WASA requirements will be provided.

WATERFRONT

Heat Island Effect (Non-roof):

The location of the parking in a subsurface garage avoids large surface parking lots and helps to keep the site cooler.

Water Efficiency

Water Use Reduction, 20%:

Plumbing fixtures that reduce water usage by 20% over code compliant levels will be specified and required.

Materials and Resources

Construction Waste Management:

A minimum of 50% non-hazardous demolition debris will be salvaged or recycled. A construction waste management program will be developed for the demolition phase of the project.

Building Adaptive Reuse:

A minimum of 75% of the existing structural frame will be maintained for reuse.

Storage and Collection of Recyclables:

Adequate space will be provided for the collection and storage of domestic recyclable materials including paper, plastics, metals, glass and cardboard.

Indoor Environmental Quality

Minimum IAQ Performance:

The project will comply with the ASHRAE 62.1 ventilation requirements.

Construction IAQ Management Plan-during construction:

A plan articulating construction procedures to protect and enhance indoor air quality will be required. Strict adherence to the plan during construction will be evidenced with photographs. If permanent AHUs are used during construction high efficiency filters will be required.

Low-Emitting Materials, Paints & Coatings:

Low emitting paints and coatings will be specified and required.

WATERFRONT

Low-Emitting Materials, Carpet:

Green Label Plus certified carpet systems will be specified and required.

Controllability of Systems – lighting:

The project will be designed to provide control of lighting to over 90% of occupants.

Controllability of Systems – thermal comfort:

The project will be designed to provide control of thermal comfort and operable windows for over 50% of occupants.

Innovation & Design Process

LEED Accredited Professional:

The project will utilize the services of a LEED-AP professional.

Energy Star Appliances:

Energy Star appliances will be specified and required.