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MEMORANDUM

DATE: July 2, 2018

TO: Advisory Neighborhood Commission 6D
c/o Commissioner Andy Litsky

FROM: Christine M. Shiker, Holland & Knight LLP *CMS*
Jessica R. Bloomfield, Holland & Knight LLP *JRB*

CC: Abe Naparstek, Forest City Realty Trust
David Smith, Forest City Realty Trust

RE: Response to ANC 6D Memorandum dated June 30, 2018
Z.C. Case No. 02-38I
375 and 425 M Street, SW

This memorandum provides the Applicant's response to the comments and conditions requested in ANC 6D's memorandum to the Applicant dated June 30, 2018, and received July 1, 2018.

1. Size of Retail Tenants. As requested by the ANC, the Applicant will further limit the maximum size of individual retail tenants in the M Street buildings to 10,000 square feet. Doing so will ensure that no one retailer dominates the retail space and that multiple types of retailers are represented to create a dynamic town center environment at Waterfront Station.
2. CBE Commitment. As requested by the ANC, the Applicant will dedicate a minimum of 1,000 total square feet in the M Street buildings to small and local businesses as part of its compliance with Condition No. 14 from Z.C. Order No. 02-38A, which requires a total of 12,500 square feet within the overall project. Local and small businesses are determined based on CBE certification through the Department of Small and Local Business Development.
3. Digital Advertising. As requested by the ANC, the Applicant will prohibit any digital advertising signage on the exterior of the M Street buildings.

4. Independent Safety Study. As requested by the ANC, the Applicant will contribute \$30,000 to DDOT prior to the issuance of a building permit for the East M Street building (the first building to be constructed). DDOT will be responsible for selecting the firm to complete the safety study and for implementing any improvements to 4th and M Street intersection.
5. Site Management Implementation. The Applicant has already participated in one meeting with the Waterfront Station property owners regarding the site management plan. As requested by the ANC, the Applicant will establish a timetable at the next site management meeting and is committed to funding improvements in the overall project's fiscal year 2019 budget, which begins January 1, 2019.
6. Short-Term Rentals. In response to concerns raised by the ANC, the Applicant confirms that the M Street buildings will only be leased to tenants in accordance with the definition of residential use in Subtitle B § 200.2(bb), which provides for a "use offering habitation on a continuous basis of at least thirty (30) days."

We trust that this memorandum responds to your stated concerns and conditions. If you have any questions, please let us know. Thank you.