

Changes to the conditions of Z.C. Order No. 03-05 are shown below, with text to be deleted marked in strikethrough and new text marked in bold underline.

Order Condition No.	Approved PUD Condition	Modified PUD Condition
1	The PUD shall be developed substantially in accordance with the plans prepared by DMJM Design and Michael Graves Architect, P.C., dated August 22, 2003, in the record at Exhibits 33 and 33a, as supplemented by the drawings dated September 18, 2003, in the record at Exhibit 43, (collectively, the "Plans") as modified by the guidelines, conditions, and standards herein.	<p><u>A. Project Development</u></p> <p>The PUD shall be developed substantially in accordance with the plans prepared by DMJM Design and Michael Graves Architect, P.C., dated August 22, 2003, in the record at Exhibits 33 and 33a, as supplemented by the drawings dated September 18, 2003, in the record at Exhibit 43, (collectively, the "Plans") as modified by the guidelines, conditions, and standards herein <u>and as further modified pursuant to the architectural plans filed in the record of ZC Case No. 03-05A as Exhibit 19A1-19A4 and Exhibit _____ (the "Modified Plans") as modified by the guidelines, conditions, and standards herein.</u></p>
2	The PUD shall be two office buildings, consisting together of approximately 1,454,008 square feet of gross floor area (the "Office Buildings"), with an approximate zoning density of 3.7 FAR. The PUD shall also include on-site retail of at least 13,900 square feet of gross floor area, as described in detail in Condition No. 6. The total project, including the on-site retail, shall have an approximate density of 3.8 FAR.	<p>The PUD shall be two office buildings, consisting together of approximately 1,454,008 square feet of gross floor area (the "Office Buildings"), with an approximate zoning density of 3.7 FAR <u>and one mixed-use building, consisting of approximately 123,233 square feet of gross floor area (the "Mixed-Use Project"), with an approximate zoning density of 5.58 FAR.</u> The PUD <u>Office Buildings</u> shall also include on-site retail of at least 13,900 <u>10,085</u> square feet of gross floor area <u>and the Mixed-Use Project shall include on-site retail of approximately 2,632 sq. ft.,</u> as described in detail in Condition No. 6<u>7</u>. The total project, including the</p>

		on-site retail, shall have an approximate density of 3.8 4.08 FAR.
3	The west Office Building shall have an approximate height of 121 feet to the top of the parapet and a maximum height of 130 feet to the top of the atrium, as measured in accordance with the Zoning Regulations. The east Office Building shall have an approximate height of 109 feet to the top of the parapet and a maximum height of 118 feet to the top of the atrium, as measured in accordance with the Zoning Regulations. The project may include a roof structure with a height not to exceed eighteen feet, six inches, with setbacks as indicated in the Plans. The project shall comply with the Height Act of 1910. The Applicant shall have the flexibility to modify the atrium to comply with the Height Act of 1910.	No change
4	The project shall include a minimum of 936 parking spaces and fifty (50) bicycle parking spaces in the below-grade parking garage. The Applicant shall have flexibility to arrange compact cars in groups of less than five contiguous spaces with access from the same aisle.	The project Office Buildings shall include a minimum of 936 parking spaces and fifty (50) bicycle parking spaces in the below-grade parking garage. <u>The Mixed-Use Project shall include a minimum of fifty-eight (58) long-term bicycle parking spaces and ten (10) short-term bicycle parking spaces.</u> The Applicant shall have flexibility to arrange compact cars in groups of less than five contiguous spaces with access from the same aisle.
5	The project shall include three twelve-foot by fifty-five-foot loading berths and three twelve-foot by thirty-foot service/delivery spaces as shown on the Plans. Access to the loading facilities for trucks that are larger than thirty feet is prohibited between the hours of 7:00-9:00 AM and 4:30-6:30 PM on weekdays, excluding	The project Office Buildings shall include three twelve-foot by fifty-five-foot loading berths and three twelve-foot by thirty-foot service/delivery spaces as shown on the Plans. Access to the loading facilities for trucks that are larger than thirty feet is prohibited between the hours of 7:00-9:00 AM and 4:30-

	<p>legal holidays. Access to loading facilities is permitted at all times for trucks that are thirty feet or smaller. This restriction shall not apply to the loading facility until nine months after the issuance of the principal certificate of occupancy for the building, or during such move-in or moveout periods as may be required during building renovations or re-tenanting of the buildings. The Applicant shall implement the Loading Dock Management Plan as referenced in Finding No. 39.</p>	<p>6:30 PM on weekdays, excluding legal holidays. Access to loading facilities is permitted at all times for trucks that are thirty feet or smaller. This restriction shall not apply to the loading facility until nine months after the issuance of the principal certificate of occupancy for the building Office Buildings, or during such move-in or moveout periods as may be required during building renovations or re-tenanting of the buildings. The Applicant Office Buildings shall implement the Loading Dock Management Plan as referenced in Finding No. 39 in ZC Order 03-05.</p>
<p><u>6</u> <u>[previously 24]</u></p>	<p>The Applicant shall have flexibility with the design of the PUD in the following areas:</p> <ul style="list-style-type: none"> a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building; b. To make minor modifications to the location and design of the Southwest Plaza retail building, the retail building at the corner of New Jersey Avenue and M Street, and the retail kiosk at the corner of Fourth and M Streets, provided that the structures and their locations are generally consistent with those shown on the Plans; c. To vary the final selection of the exterior materials within the color ranges and material types as 	<p>The Applicant shall have flexibility with the design of the PUD Office Buildings in the following areas:</p> <ul style="list-style-type: none"> a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building; b. To make minor modifications to the location and design of the Southwest Plaza retail building, the retail building at the corner of New Jersey Avenue and M Street, and the retail kiosk at the corner of Fourth and M Streets, provided that the structures and their locations are generally consistent with those shown on the Plans; c. To vary the final selection of the exterior materials within the color ranges and material types as

	<p>proposed, based on availability at the time of construction;</p> <p>d. To make minor refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and</p> <p>e. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below a minimum of 936 spaces.</p>	<p>proposed, based on availability at the time of construction;</p> <p>d. To make minor refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and</p> <p>e. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below a minimum of 936 spaces.</p> <p><u>The Applicant shall have flexibility with the design of the Mixed-Use Project in the following areas:</u></p> <p>a. <u>Interior Components: To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the Modified Plans.</u></p> <p>b. <u>Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the Modified Plans.</u></p>
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		<p>c. <u>Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the Modified Plans. Examples of exterior details include, but are not limited to, doorways, canopies, railings, and skylights.</u></p> <p>d. <u>Streetscape Design: To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division or the Public Space Committee or other permitting process.</u></p> <p>e. <u>Signage: To vary the number, font, message, logo, and color of the Mixed-Use Project signage, provided that the maximum overall dimensions and signage materials are consistent with the signage on the Modified Plans and are compliant with the D.C. signage regulations.</u></p> <p>f. <u>Residential Units: To modify the number of residential units by plus or minus 5%, provided that (1) the total square footage of the Project’s residential dwelling units shall not be reduced, and (2) the percentage of gross floor area square footage reserved for the</u></p>
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7	<p>The Applicant shall provide retail as follows:</p> <p>a. Adaptive re-use of Building 170 with a minimum of 8,000 square feet of gross floor area at ground level, with the possibility of incorporating approximately an additional 10,500 square feet of gross floor area within Building 170 on the upper levels;</p>	No Change
	<p>b. Construction of the Southwest Plaza retail building containing approximately 3,815 square feet of gross floor area;</p>	<p>Construction of the Southwest Plaza <u>Mixed-Use Project</u> retail building containing approximately 3,815 <u>2,653</u> square feet of gross floor area <u>for retail;</u></p>
	<p>c. Construction of a retail pavilion at the corner at New Jersey Avenue and M Street as shown on the Plans, containing approximately 1,755 square feet of gross floor area;</p>	No change
	<p>d. Construction of a retail kiosk at the corner of Fourth and M Streets, as shown on the Plans, containing approximately 330 square feet of gross floor area; and</p>	No change
	<p>e. The Applicant shall implement a seasonal retail kiosk program in</p>	No change

	accordance with the concepts identified at Exhibit 41 in the record.	
8	The Applicant shall provide a minimum of 24,000 square feet of gross floor area for publicly-accessible ground floor retail along M Street in the Office Buildings at such time as the DOT or any subsequent Federal tenant no longer occupies the Office Buildings. The Applicant may provide additional retail in the Office Buildings at any time.	No change
9	The Applicant shall dedicate in fee to the District of Columbia portions of New Jersey Avenue, Fourth Street and Tingey Street (the "Dedicated Streets"), as indicated in the Street Re-Opening file in the Office of the Surveyor, known as S.O. 03-1420. The Applicant shall record a covenant acceptable to DDOT and the Office of Corporation Counsel evidencing the dedication and grant of easements for the Dedicated Streets. This covenant must be filed prior to the Applicant's receiving a certificate of occupancy for either of the Office Buildings.	Add Section Heading – <u>B. Public Benefits</u> Otherwise, no change
10	The Applicant shall design and construct the Dedicated Streets in accordance with the DDOT standards and specifications.	No change
11	The original Third Street L'Enfant right-of-way, between M and Tingey Streets ("Third Street"), is part of the Site and therefore will remain private property. The owner of the property may restrict the use by or disallow vehicles from traveling along this private thoroughfare, but shall permit travel by emergency vehicles. Third Street shall be improved by the Applicant in accordance with the	No change

	Plans to serve as an open-air pedestrian thoroughfare and to provide access for emergency vehicles. The Applicant shall construct Third Street to DDOT standards and specifications for future conversion to a public roadway. At such time as the DOT or a subsequent Federal tenant no longer occupies the Office Buildings, the Applicant shall dedicate Third Street to the District. The dedication shall include at least the surface of Third Street and such subsurface area as is needed for the installation of water and sewer lines and other public infrastructure. The Applicant shall improve Third Street for use as a public roadway in accordance with DDOT standards and specifications. In the event that the Council of the District of Columbia does not accept the dedication, the Applicant shall be relieved of the requirement under this Order to dedicate Third Street as a public street.	
12	The Applicant shall construct and maintain the Site Animation and Activation Plan in accordance with the concept plan submitted as Exhibit E in the Prehearing Submission, in the record at Exhibits 14 and 14a.	The Applicant shall construct and maintain the Site Animation and Activation Plan in accordance with the concept plan submitted as Exhibit E in the Prehearing Submission, in the record at Exhibits 14 and 14a <u>of ZC Case No. 03-05.</u>
13	The Applicant shall expend \$75,000 towards a Comprehensive Signage Program, as described in the record at Exhibit 41, that will include the Canal Blocks Park and the Hope VI community north of the Site. This program will be implemented in coordination with DDOT.	The Applicant shall expend \$75,000 towards a Comprehensive Signage Program, as described in the record at Exhibit 41 <u>of ZC Case No. 03-05,</u> that will include the Canal Blocks Park and the Hope VI community north of the Site. This program will be implemented in coordination with DDOT.
14	Prior to the issuance of a certificate of occupancy for either of the Office	No change

	Buildings, the Applicant shall contribute \$2,500,000 to the Canal Park Development Association for the development of Canal Blocks Park.	
15	Prior to the issuance of a certificate of occupancy for either of the Office Buildings, the Applicant shall contribute \$1.5 million to the District of Columbia. The payment shall be accompanied by a written statement indicating that the payment is made in compliance with this Order and that the District may not use the money for any purpose other than for construction and programming of the Anacostia Riverwalk and Trail located within ANC 6D. The Applicant shall advise the Commission if the District indicates that it is unwilling or unable to use the money for this purpose.	No change
16	The Project shall include the creation of the Southwest Plaza, including approximately 35,000 square feet of landscaped, publicly-accessible open space. This plaza shall be preserved in perpetuity as publicly-accessible open space, unless this Condition is modified by the Zoning Commission.	The PUD shall include the creation of the Southwest Plaza, including approximately 35,000 22,175 square feet of landscaped, publicly-accessible open space. This plaza shall be preserved in perpetuity as publicly-accessible open space, unless this Condition is further modified by the Zoning Commission.
17	The Applicant shall include landscaping improvements for the project as indicated in the Plans. The Applicant or its successors shall maintain all landscaping improvements.	The Applicant shall include landscaping improvements for the project as indicated in the Plans and Modified Plans . The Applicant or its successors shall maintain all landscaping improvements.
18	Landscaping and security improvements in the public space along M Street shall be in accordance with the Plans, as approved by the Public Space Division of DDOT. The Applicant or its successors shall	No change

	maintain all landscaping improvements in the public space.	
19	New condition	<p><u>1. The Applicant shall provide affordable housing as set forth in this condition:</u></p> <p><u>a. For so long as the Mixed-Use Project is subject to public financing-related affordability restrictions (“Initial Affordability Period”), all of the Mixed-Use Project’s dwelling units shall be reserved at an average affordability level no greater than 60% of Area Media Income (“AMI”), with some units as low as 30% AMI. The affordability level assumes that the Applicant will be granted an exemption from the Inclusionary Zoning Regulations (“IZ”) set forth in Subtitle C, Chapter 10 of the Zoning Regulations, pursuant to 11 DCMR Subtitle C § 1001.6. However, the Commission takes no position as to whether an exemption from the IZ Regulations should be granted;</u></p> <p><u>b. Should the exemption from the IZ Regulations be granted, the affordable housing requirements of this condition shall be stated in the covenant required under 11 DCMR Subtitle C § 1001.6(a)(4); and</u></p> <p><u>c. Should the exemption from the IZ Regulations be denied, the Applicant shall provide affordable housing in accordance with this condition,</u></p>

		<p><u>unless the IZ Regulations impose more restrictive standards. The Applicant shall record the covenant required by the Inclusionary Zoning Act as to 8% of the residential gross floor of the Mixed-Use Project, and shall execute the monitoring and enforcement documents required by 11 DCMR Subtitle X § 311.6 as to the remaining residential gross floor area.</u></p> <p><u>2. Following the conclusion of the Initial Affordability Period, and for so long thereafter as the Mixed-Use Project exists, the Mixed-Use Project shall reserve no less than eight percent (8%) of the Mixed-Use Project's gross floor area at 60% AMI.</u></p> <p><u>3. For the Life of the Mixed-use Project, at least forty (40) of the dwelling units will be three-bedroom units.</u></p>
20	New Condition	<p><u>5. Prior to the issuance of a Certificate of Occupancy for the Mixed-Use Project, the Applicant shall furnish a copy of its preliminary Enterprise Green Communities Plus certification application to the Zoning Administrator demonstrating that the building has been designed to meet the Enterprise Green Communities Plus standard for residential buildings.</u></p>
21	The Applicant shall implement a Transportation Management Plan as set forth in the Applicant's Traffic Impact Study dated March 14, 2003, attached as Exhibit C to the	<p><u>C. Transportation</u></p> <p><u>For the Office Buildings,</u> the Applicant shall implement a Transportation Management Plan as</p>

	<p>Supplemental PUD Statement filed with the Commission on March 19, 2003, and found in the record at Exhibit 12.</p>	<p>set forth in the Applicant's Traffic Impact Study dated March 14, 2003, attached as Exhibit C to the Supplemental PUD Statement filed with the Commission on March 19, 2003, and found in the record <u>of ZC Case No. 03-05</u> at Exhibit 12.</p> <p><u>For the life of the Mixed-Use Project, the Applicant shall implement the following Transportation Demand Management measures:</u></p> <p>A. <u>Identify a Transportation Coordinator for the planning, construction, and operations phases of development. The Transportation Coordinator will act as the point of contact with DDOT, goDCgo, and Zoning Enforcement and will provide their contact information to goDCgo.</u></p> <p>B. <u>Develop, distribute, and market various transportation alternatives and options to residents, including promoting transportation events (e.g., Bike to Work Day, National Walking Day, Car Free Day) on the property website and in any internal building newsletters or communications;</u></p> <p>C. <u>Direct the Transportation Coordinator to subscribe to goDCgo's residential newsletter and receive TDM training from goDCgo to learn about the transportation conditions</u></p>
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		<p><u>for this project and available options for implementing the TDM Plan;</u></p> <p>D. <u>Provide welcome packets to all new residents that should, at a minimum, include the Metrorail pocket guide, brochures of local bus lines (Circulator and Metrobus), carpool and vanpool information, CaBi coupon or rack card, Guaranteed Ride Home (GRH) brochure, and the most recent DC Bike Map. Brochures can be ordered from DDOT’s goDCgo program by emailing info@godcgo.com.</u></p> <p>E. <u>Post all transportation and TDM commitments on the building website, publicize availability, and allow the public to see what has been promised;</u></p> <p>F. <u>Offer a SmarTrip card and one (1) complimentary Capital Bikeshare coupon good for a free ride to every new resident;</u></p> <p>G. <u>Provide at least 10 short- and 56 long-term bicycle parking spaces, exceeding ZR16 minimum requirements for at least six (6) short- and 42 long-term bicycle parking spaces;</u></p> <p>H. <u>Accommodate non-traditional sized bikes including cargo, tandem, and kids bikes, with a</u></p>
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		<p><u>minimum 5% of spaces (minimum 2) be designed for longer cargo/tandem bikes, and a minimum of 10% of spaces will be designed with electrical outlets for the charging of electric bikes and scooters. There will be no fee to the residents for usage of the bicycle storage room and strollers will be permitted to be stored in the bicycle storage room;</u></p>
22	<p>The Applicant shall work with the DDOT to create a corridor-based organization focusing on transit improvements. This organization will support the evaluation and implementation of a means for property owners on the M Street corridor to assist in financing a portion of the capital and operating costs for the "next generation" of transit on the M Street corridor. This model may be consistent with the one used to finance construction of the New York Avenue Metrorail Station. The Applicant shall participate in a coordination committee to facilitate dialogue among property owners along the M Street corridor to assist the DDOT in making a trolley or other "next generation" transit model a reality.</p>	No change
23	<p>The Applicant shall work with the DDOT to install a new traffic signal at the intersection of New Jersey Avenue and M Street and to install a new traffic signal at the intersection of Fourth and M Streets. The Applicant shall bear the cost of the installation of these two traffic signals.</p>	No change

24	The Applicant shall work with DDOT, GSA, W ASA, and OP to finalize the design of the intersection of Tingey and N Streets at the terminus of New Jersey Avenue to create an operational and safe intersection.	No change
25	The Applicant shall abide by the terms of the executed Memorandum of Understanding with the D.C. Local Business Opportunity Commission in order to achieve the target goal of thirty-five percent participation by local, small, and disadvantaged businesses in the contracted development costs in connection with the design, development, construction, maintenance, and security to be created as a result of the PUD project. In addition, the Applicant shall give preference in hiring to residents of ANC 6B and ANC 6D. The Applicant shall provide information regarding available jobs created by the project to ANC 6B and ANC 6D, who will be responsible for disseminating this information to the surrounding communities. After completion of construction of the project, the Applicant shall provide a written status report to the Zoning Commission and the D.C. Local Business Opportunity Commission regarding compliance with this agreement.	No change
26	The Applicant shall abide by the terms of the executed First Source Employment Agreement with the Department of Employment Services in order to achieve the goal of utilizing District of Columbia residents for at least fifty-one percent of the new jobs created by the PUD project. In addition, the Applicant shall give preference in hiring to	No change

	<p>residents of ANC 6B and ANC 6D. The Applicant shall provide information regarding available jobs created by the project to ANC 6B and ANC 6D, who will be responsible for disseminating this information to the surrounding communities. After completion of construction of the project, the Applicant shall provide a written status report to the Zoning Commission and the Department of Employment Services regarding compliance with this agreement.</p>	
<p>24</p>	<p>The Applicant shall have flexibility with the design of the PUD in the following areas:</p> <ul style="list-style-type: none"> a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building; b. To make minor modifications to the location and design of the Southwest Plaza retail building, the retail building at the corner of New Jersey Avenue and M Street, and the retail kiosk at the corner of Fourth and M Streets, provided that the structures and their locations are generally consistent with those shown on the Plans; c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction; d. To make minor refinements to exterior materials, details, and 	<p>[Moved to condition 6]</p> <p>The Applicant shall have flexibility with the design of the PUD in the following areas:</p> <ul style="list-style-type: none"> a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atrium, mechanical rooms, elevators, escalators, and toilet rooms, provided that the variations do not materially change the exterior configuration of the building; b. To make minor modifications to the location and design of the Southwest Plaza retail building, the retail building at the corner of New Jersey Avenue and M Street, and the retail kiosk at the corner of Fourth and M Streets, provided that the structures and their locations are generally consistent with those shown on the Plans; e. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction;

	<p>dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and</p> <p>e. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below a minimum of 936 spaces.</p>	<p>d. To make minor refinements to exterior materials, details, and dimensions, including belt courses, sills, bases, cornices, railings, roof, skylights, architectural embellishments and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or any other applicable approvals; and</p> <p>e. To make refinements to the garage configuration, including layout, number of parking spaces, and/or other elements, as long as the number of parking spaces does not decrease below a minimum of 936 spaces.</p>
24	New condition	<p><u>For the Life of the Mixed-Use Project, the Applicant shall provide the following loading management measures:</u></p> <p>a. <u>A loading manager will be designated by the building management who will be on duty during delivery hours. The loading manager will be responsible for coordinating with vendors and tenants to schedule deliveries and will work with the community and neighbors to resolve any conflicts should they arise;</u></p> <p>b. <u>Lease provisions will require all residential tenants to use only the designated loading zone for all move-in and move-out activities through coordination with the loading zone;</u></p> <p>c. <u>All tenants and retail vendors will be required to schedule deliveries that utilize the loading zone (any loading operation</u></p>

		<p><u>conducted using a truck 20-feet in length or larger);</u></p> <p>d. <u>The loading manager will schedule deliveries using the loading zone such that the zone's capacity is not exceeded. In the event that an unscheduled delivery vehicle arrives while the loading zone is full, that driver will be directed to return at a later time when the loading zone will be available so as to not compromise safety or impede Tingey Street and New Jersey Avenue functionality;</u></p> <p>e. <u>The loading manager will schedule residential loading activities so as not to conflict with retail deliveries. All residential loading will need to be scheduled with the manager;</u></p> <p>f. <u>Trucks using the loading zone will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the goDCgo Motorcoach Operators Guide, and the primary access routes shown on the DDOT Truck and Bus Route Map (godcgo.com/freight);</u></p> <p>g. <u>The loading manager will be responsible for providing suggested truck routing maps to the building's tenants and to drivers from delivery services that frequently utilize the development's loading zone as well as notifying all drivers of any access or egress restrictions. The residential and retail loading managers will also distribute flyer materials, such as the MWCOG</u></p>
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		<p><u>Turn Your Engine Off brochure, to drivers as needed to encourage compliance with idling laws. The residential and retail loading managers will coordinate to post these materials and other relevant notices in a prominent location adjacent to the loading zone;</u></p> <p><u>h. The loading manager will coordinate with building staff to roll trash receptacles from the building to the curb for collection. Trash bins will be rolled to the curb at the time of collection and will be expeditiously returned to the building trash room;</u></p> <p><u>i. “No Parking: Loading Zone” signs will be used to demarcate the loading zone, and “No Parking” signs will be used to demarcate the pick-up/drop-off zone. The exact restrictions and placards will be determined by DDOT’s Curbside Management Division (CMD) during public space permitting;</u></p> <p><u>j. The loading manager will schedule deliveries so that no deliveries should arrive within three (3) hours prior to or three (3) hours after a game or other event at Nationals Park, consistent with the Audi Field + Nationals Park Traffic Operations & Parking Plan;</u></p> <p><u>k. The loading zone along Tingley Street SE will be approximately 60 feet in length and solely dedicated to residential and retail loading for the building. The pick-up/drop-off zone along New Jersey Avenue will be approximately 40 feet in length and</u></p>
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		<p><u>the loading zone along New Jersey Avenue will be approximately 48 feet in length. The exact dimensions will be determined by CMD during public space permitting;</u></p> <p><u>l. The loading manager will use traffic cones to block off the loading zone and actively manage deliveries and move-ins/outs;</u></p> <p><u>m. The loading manager will call 311 to obtain DPW enforcement of the parking restriction in the loading zone and pickup/drop-off zone as needed; and</u></p> <p><u>n. The Applicant will provide a curbside management and signage plan, as well as a copy of this LMP, in the public space construction permit application.</u></p>
25	No building permit shall be issued for this PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant, the owners (if other than the Applicant), and the District of Columbia, that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Consumer and Regulatory Affairs (DCRA). Such covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.	No building permit shall be issued for this PUD <u>the Mixed-Use Project</u> until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant, the owners (if other than the Applicant), and the District of Columbia, that is satisfactory to the Office of the Corporation Counsel and the Zoning Division of the Department of Buildings (DOB). Such covenant shall bind the Applicant and all successors in title to construct on and use this property in accordance with this Order or amendment thereof by the Zoning Commission.
26	The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA until the Applicant has filed a copy of the	The Office of Zoning shall not release the record of this case to the Zoning Division of DCRA <u>DOB</u> until the Applicant has filed a copy of the

	covenant in the records of the Zoning Commission.	covenant in the records of the Zoning Commission.
27	The PUD approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction shall begin within three years of the effective date of this Order.	The PUD Mixed-Use Project approved by the Zoning Commission shall be valid for a period of two years from the effective date of this Order. Within such time, an application must be filed for a building permit as specified in 11 DCMR § 2409.1. Construction of the Mixed-Use Project shall begin within three years of the effective date of this Order.
28	Pursuant to § 267 of the Human Rights Act of 1977, D.C. Official Code § 2-1402.67 (2001), the Applicant is required to comply fully with the provisions of the Act, and this order is conditioned upon full compliance with those provisions. Nothing in this order shall be understood to require the Zoning Division of DCRA to approve permits if the Applicant fails to comply with any provision of the Human Rights Act.	Pursuant to § 267 of the Human Rights Act of 1977, D.C. Official Code § 2-1402.67 (2001), the Applicant is required to comply fully with the provisions of the Act, and this order is conditioned upon full compliance with those provisions. Nothing in this order shall be understood to require the Zoning Division of DCRA DOB to approve permits if the Applicant fails to comply with any provision of the Human Rights Act.
29	In the event that the PUD expires because 1) the PUD covenant is not recorded in the land records of the District of Columbia, 2) the time periods set forth in Condition No. 27 are not met, or 3) no extension for the time periods set forth in Condition No. 27 is requested or approved, then the Site shall be zoned CR.	No change

