

**APPLICANT'S COMMITMENTS TO ANC 5E
ON PUBLIC BENEFITS AND AMENITIES
Z.C. CASE ORDER NO. 13-14
MCMILLAN SAND FILTRATION SITE**

MAY 23, 2014

The Applicant shall provide the following public benefits and amenities as a condition of approval of Z.C. Order No. 13-14.

1. Urban Design, Architecture, and Site Planning: The PUD shall be developed substantially in accordance with the Master Plan prepared by EEK Perkins Eastman Architects dated April 11, 2014, marked as Exhibit 32A1A in the record, and supplemented by drawings submitted [date], marked as Exhibit __ in the record;¹ as modified by the guidelines, conditions and standards herein. The PUD shall provide all the necessary public infrastructure to support the development, including all project site work; all streets, alleys, sidewalks, bike paths; historic and commemorative signage throughout the PUD site to create a walking museum of preserved buildings and views; and all related utilities.
2. Parks, Open Space, and Landscaping: The PUD shall provide approximately 500,940 square feet of public open space comprised of the South Park, the South Service Court, the North Service Court, the healing gardens and preserved Filtration Cell 14. The Olmsted Walk, as shown on the drawings, shall be handicapped accessible and include benches along the walk. The South Park shall include shaded seating areas with picnic tables or similar tables and chairs, an amphitheater adjacent to the Community Center, a children's playground, a "spray-ground", an outdoor adult fitness area, a pond and open lawns for casual sports, all as shown on the Stage 2 PUD drawings, pp. 33-35, and marked as Exhibits 32A2A10 – 32A2A12. The PUD shall provide all related streetscape improvements and street furniture, including lighting, benches, trash receptacles, bicycle racks.
3. Design Guidelines; Public Art Guidelines: The Applicant shall implement and follow the Master Plan Design Guidelines prepared by EEK Perkins Eastman Architects marked as Exhibit 17C to the record; and the CulturalDC Public Art Master Plan as marked as Exhibit 17D10 to the record.
4. Historic Preservation: The PUD shall rehabilitate and renovate the North and South Service Courts, including all 20 sand storage bins, four regulator houses, at least one sand washer, eleven filter bed portals and portions of the service court walls, and the preservation of Cells 14 and 28, all in accordance with the plans. The PUD shall re-establish the Olmsted Walk around the perimeter of the site, as shown on the plans. The Applicant shall seek permission from the U.S. Army

¹ This is placeholder for any supplemental drawings requested by Zoning Commission as a post-hearing submission.

Corps of Engineer or other responsible government agency to obtain the historic McMillan Fountain, formerly located on portion of the McMillan Reservoir west of First Street, in order to install it on the PUD site.

5. Uses of Special Benefit to the Community and City:
 - a. *Retail/Grocery Store.* The PUD shall provide total retail/service use space of approximately 97,770 square feet of gross floor area. The retail space shall include a full-service grocery store.
 - b. *Community Center.* The PUD shall provide a two-story community center consisting of approximately 17,500 square feet of gross floor area. The center will include gallery space with exhibits on the history of the McMillan site, a 25-meter swimming pool, a multipurpose community meeting room with a catering kitchen, outdoor gathering space, fitness studio, and locker and shower facilities. This amenity will be open to the public and will provide a user-friendly and convenient space for public gatherings and community events. The multipurpose community meeting room will include moveable partitions to create smaller and larger spaces for gathering.
 - c. *Healthcare Facility.* The PUD shall devote approximately 860,000 square feet of gross floor area to medical office and related healthcare uses on Parcel 1, as shown on the drawings.
6. Housing: The PUD shall provide approximately 924,583 square feet of gross floor area devoted to residential uses, or approximately 674 units of new housing in single-family and apartment houses, for both rental and ownership opportunities.
7. Affordable Housing: A portion of the total square feet of gross floor area devoted to housing shall be set aside for affordable housing, as follows: On Parcel 4, a minimum of 67,775 square feet of gross floor area of the total new housing provided, or approximately 85 units, shall be set aside as senior housing (55 years of age or older) for households earning 50% to 60% of AMI. An additional 25 units, or approximately 62,340 square feet of total gross floor area devoted to housing, shall be set aside on Parcel 2 for household earning 80% of AMI. Finally, 18 of the single-family rowhouses on Parcel 5 shall be set as affordable housing. Nine of the affordable rowhouses will be made available to households earning no more than 50% of AMI and the remaining affordable rowhouses will be made available to households earning no more than 80% of AMI. The affordable housing units shall be constructed prior to or concurrently with the market-rate units on a given parcel, except that if the development is phased, the affordable units shall be constructed at a pace that is proportional with the construction of the market-rate units.
8. CBE Participation: Prior to the issuance of a building permit, the Applicant shall execute a Certified Business Enterprise ("CBE") Agreement with the D.C.

Department of Small and Local Business Development ("DSLBD") to achieve, at a minimum, 35% participation by certified business enterprises in the contracted development costs for the design, development, construction, maintenance, and security for the project to be created as a result of the PUD. Business opportunities will be posted on the DSLBD website, and the Applicant will give opportunities to CBE businesses for smaller contracts, such as catering, trash collection, and delivery service. The Applicant will continue to work cooperatively with DSLBD, its contractors and with the Business Development Councils and other local community organizations to maximize opportunities for CBE firms throughout the process. The PUD shall also include 20 percent equity sponsor participation by a CBE.

9. Training and Employment Opportunities: During construction of the project, the Applicant shall abide by the terms of the executed First Source Employment Agreement with the District Department of Employment Services to achieve the goal of utilizing District residents for at least 51% of the new jobs created by the PUD project. To the extent permitted by law, first preference for employment opportunities shall be given to Ward 1 and 5 residents. The Applicant and its contractor, once selected, shall coordinate training, job fairs and apprenticeship opportunities with construction trade organizations or with healthcare facility and other organizations to maximize participation by District residents in the training and apprenticeship opportunities in the PUD.
10. Project Association: Prior to the issuance of the first certificate of occupancy for the PUD application, the Applicant shall establish a project association or business improvement district for the PUD that will be responsible for the maintenance and improvements of the private roadways, alleys, bicycle paths, historic walks, sidewalks, parks, and signage within the PUD boundaries. Additionally, the project association will contribute to funding for programming and staging events within the PUD for the benefit of the public.
11. Transportation Features: The PUD site shall be a multi-modal transit hub that accommodates transit services, such as the Circulator bus or Streetcar, and provides simple connections to Capital Bikeshare stations, including three new stations on the PUD site, bicycle storage and changing facilities, privately run shuttles, and long-term parking facilities. The Applicant shall implement the transportation infrastructure improvements recommended by Gorove/Slade Associates and the District's Department of Transportation, as well as the transportation demand mitigation ("TDM") measures. Among other things, these include:
 - Recommended improvements to nearby bus routes to better serve the PUD and the neighbors, including instituting rush hour express bus service;
 - Recommendation to accelerate planning and development of the planned Brookland-Columbia Heights Streetcar;

- The provision of an interim shuttle service to the Metrorail prior to the District's implementation of a Circulator Bus Route and Streetcar line that would serve the PUD site, for up to five years at a value of \$1,250,000; and
- The Applicant's commitment to incentivize on-site residents and tenants to use public transit, such as providing space for a Transit Store, supplementing employee SmarTrip cards, car-sharing and Capital Bikeshare memberships.
- The Applicant will explore the possibility of offering a shuttle service to connect the residents in Ward 5 at the following stops to the retail shops and community center at the McMillan PUD, based on demand:
 - House of Lebanon Senior Housing Complex at the unit block of O Street, N.W.
 - 3rd and Q Streets, N.W., at the current Metrobus stop
 - 1st Street and Florida Avenue, N.W., and 1st and P Streets, N.W.
 - 1st Street and New York Avenue, N.W.
 - 1st Street and Rhode Island Avenue, N.W.

12. Environmental Benefits: The overall PUD site will achieve a LEED ND certification on the Master Plan, and each project will be LEED Silver or Green Communities compliant, depending on its commercial or residential designation. The overall site will eventually achieve, at minimum, the applicable provisions of the Green Construction Code of the 2013 Construction Code of the District of Columbia. The Applicant shall put forth its best efforts to achieve a LEED-Silver rating or higher for the buildings on Parcels, 1, 4, 5, and 6 but the Applicant shall not be required to obtain the certification from the U.S. Green Building Council. The Applicant shall comply with all applicable District and federal environmental laws.

13. Community Benefits: The Applicant shall provide the following community benefits:

- a. \$250,000 for scholarships for community residents to pursue higher education, training or job-related certification, encouraging “legacy” careers paths such as civil engineering, landscape architecture, or on-site jobs in the medical field, with a preference for Ward 1 and 5 residents, to the extent permitted by law. The funds shall be coordinated by the Community Foundation of National Capital Region (“CFNCR”).
- b. \$500,000 to the CFNCR to be directed to organizations whose core mission is workforce development, to create true “career paths” for District residents through readiness, training and placement in on-site or other employment opportunities, and which have a demonstrated track record for successful job placement and retention of District residents.

- c. \$75,000 to D.C. Public Schools for Science, Technology, Engineering and Math (“STEM”) programs at Dunbar High School, McKinley Technical high school and Langley Educational Campus.
- d. \$500,000 over a 15-year period in the project association operating budget to hire high-school age residents and senior residents to provide guided tours of the McMillan site highlighting the preserved historic resources.
- e. \$500,000 over a 10-year period in the project association operating budget to create a community market, outdoor cafe, and space for art installations between the South Service Court and South Park, and to activate the South Service Court and existing elements, such as regulator houses for small business incubators, silos as hanging gardens, water features and observation points.
- f. \$150,000 to facilitate business start-ups in the project.
- g. \$250,000 for neighborhood beautification projects in surrounding communities.
- h. The Applicant shall offer 1,800 square feet of space, in shell condition, in the healthcare facility building on Parcel 1 to the Metropolitan Police Department for use as a substation office for the PSA 501 and PSA 502.
- i. The Applicant shall use best efforts to provide free WiFi for public use in the Community Center and South Park.
- j. \$150,000 to the North Capitol Main Street, Inc., for the storefront improvement program to revitalize grants for major corridors in ANC 5E boundaries affected by the PUD to be awarded through the Great Streets program. The funds shall only be used for storefronts located on North Capitol Street, N.E., and N.W., between Channing Street and New York Avenue.

14. Construction Management Plan: The Applicant shall comply with the Construction Management Plan attached hereto.

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MCMILLAN SAND FILTRATION SITE PUD
Z.C. CASE NO. 13-14
Construction Management Plan

VISION MCMILLAN PARTNERS, LLC (the "Applicant") proposes the following Construction Management Plan to minimize any impacts on the adjacent communities from the construction of the PROJECT at the McMillan Sand Filtration PUD Site.

Elements of this construction plan include the following:

- **Traffic and Construction Control Plan:** All ingress and egress for the construction site will be from the construction entrances to be determined in consultation with ANC 5E.
 - The Applicant will ensure that queuing of trucks for the project will occur adjacent to the subject site to the extent possible. When queuing on the streets is required, it will be for the minimum amount of time possible. Trucks in the queue will turn their engines off, until ready to move. To the extent possible, trucks on the construction site will turn their engines off, except when powering equipment actively in use.
 - Flagmen will be employed by the responsible subcontractors, with the oversight of the General Contractor, to ensure the safety of cars and pedestrians as trucks enter and leave the site.
- **Construction Truck Route:** The Applicant and its General Contractor, in consultation with ANC 5E, shall develop a truck route for all construction vehicles that will direct construction traffic to use North Capitol Street and

New York Avenue, similar to the current route used by DC WASA for its construction on the PUD site.

- **Construction Parking:** Parking for construction workers will be on the PUD site or in nearby commercial parking lots, or construction workers will utilize mass transit. The Applicant may provide a subsidy for the construction workers in order that they may use Metrorail, provide a van for van pooling, or use another established method of transportation to provide for construction workers to arrive at the site. A listing of the parking lots that have available spaces at this time will be provided to the subcontractors and/or construction workers. No parking by construction personnel will be permitted on nearby residential streets.
- **Communication:** The Applicant shall designate a representative to be the key contact for interaction with members of the community regarding construction. The representative will have a local office, phone, fax and voice mail and be accessible during all business hours. In addition, the Applicant will provide a point of contact that can be reached 24 hours a day for construction concerns. The name and telephone number of the representative will be conspicuously posted on the property and shall be readily available to members of the community. The Applicant pledges to work in close cooperation with Advisory Neighborhood Commission 5E and its chair, commissioners and members to minimize the impacts of the construction on the community.

- **Site Management:** The Applicant will require the erection and maintenance of a chain link safety/security fence on all sides of the site to confine construction activities. A minimum amount of light will be provided at night. These lights will be sufficient to provide necessary security and to comply with the federal and local safety standards.
- **Cleanliness:** The Applicant will require the continuous removal of rubbish and construction debris during the normal construction workday and during any other periods of work. Removal and replacement of dumpsters will occur only between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:00 a.m. and 7:00 p.m. Saturday, if a workday. Portable toilets will be placed away from the streets. The Applicant will require that all streets are kept clean of any trash and debris resulting from the construction or employees of the contractors. The Applicant shall bait for rodents on the construction site and in the alley behind Channing Street, between North Capitol and First Street, N.W.
- **Work Hours:** The normal construction work-week will be Monday through Saturday, 7:00 a.m. to 7:00 p.m. Any construction performed outside of these hours shall be in accordance with an After-Hours permit issued by the District.
- **Contractors:** The Applicant will enforce contractor compliance with all rules and regulations described herein; such conditions will be included in any general and sub-contractor contracts.

