

**EXHIBIT F: UPDATED PUD CONDITIONS**

(Insertions shown in **bold underlined** and deletions in ~~strike-through~~)

**A. FIRST-STAGE PUD DEVELOPMENT PARAMETERS**

1. *Architectural Plans*: The PUD shall be developed substantially in accordance with the Master Plan (Volume 1) and the PUD and Consolidated Stage Two (Volume 2) prepared by EEK Perkins Eastman Architects, dated April 11, 2014, marked as Exhibits 32A1A and 32A2, respectively, and supplemented by drawings submitted on June 23, 2014, marked as Exhibit 832 in the record; as modified by the guidelines, conditions and standards herein.
2. *Project Uses and Density*: The PUD shall be a mixed-use development devoted to residential, retail, service, institutional, community, and medical and related office uses, as shown on the approved Master Plan. The PUD shall have a maximum overall density of 1.92 FAR (2.36 FAR excluding the private rights of way), and a combined gross floor area of approximately 2,070,753 square feet.
3. *Building Heights*: The maximum building height of the Healthcare Facility on Parcel 1, to be located in the C-3-C District, shall not exceed ~~430~~ **115** feet. The maximum building height on Parcel 2, to be located in the CR District, shall be 110 feet. The maximum building height on Parcel 3, to be located in the CR District, shall be 110 feet. The maximum building height on Parcel 4, to be located in the CR District, shall be 77 feet. The maximum building height on Parcel 5, located in the CR District, shall be 48 feet. The maximum building height on Parcel 6, located in the CR District, shall be 26 feet. Parcel 7 shall be improved with the existing historic silos (sand bins) and regulator houses.
4. *Design and 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 Cultural DC Public Art Master Plan as marked as Exhibit 17D10 to the record.

**B. CONSOLIDATED PUD DEVELOPMENT PARAMETERS**

1. *Parcel 1*: Parcel 1 shall be developed as a health care facility with approximately **835,000 to** 860,000 square feet of space devoted to medical offices, and related health-care uses, and ~~a minimum of 15,000 square feet of space devoted to~~ **retail**. The Parcel 1 building shall have a maximum FAR of 4.08 (or approximately 5.52 FAR exclusive of private rights-of-way and Cell 14), and a maximum building height of ~~430~~ **115** feet. Parcel 1 shall be developed as a single building for zoning purposes, with the above-grade connection located at the main level of the building along the North Service Court. Approximately 1,900 vehicle parking spaces shall be provided in a below grade garage.

Approximately 200 bike parking or storage spaces shall be provided in the garage. Loading shall be provided as shown on the drawings.

2. *Parcel 4:* Parcel 4 shall be developed as a mixed-use residential grocery building consisting of approximately 305,847 square of gross floor area, or a maximum density of 3.21 FAR. Approximately 55,567 square feet of gross floor area shall be devoted to a grocery store use (inclusive of loading) and approximately 258,235 square feet of gross floor area shall be devoted to multi-family residential uses (inclusive of loading), which equates to approximately 196 market rate units and 85 affordable units for senior citizens (55 years of age or older) whose household income is between 50 and 60 percent of the AMI. The maximum height of the building shall be 77 feet, as measured from North Capitol Street, N.W. Approximately 329 vehicle parking spaces shall be provided in a below grade garage, with 154 spaces devoted to the retail uses and 175 spaces devoted to the residential uses. Approximately 100 bike parking or storage spaces shall be provided in the garage. Loading shall be provided as shown on the drawings submitted August 25, 2014, marked as Exhibit to the record. and as amended by Exhibit 699B and Exhibit 832A2.
- ~~3. The Applicant shall have the flexibility to implement a smaller-format grocery store, as shown on Exhibit 832A2 in the record. This alternate plan maintains the existing design and layout of the building, except for the ground floor and below grade levels. On the ground level, the alternate plan provides a smaller, 15,000 square foot grocery store plus a 10,690 square foot space for a second retail tenant. Approximately 238 vehicle parking spaces will be provided in a single-story below grade garage, with 48 spaces devoted to the grocery/retail uses and 190 spaces devoted to the residential uses, consistent with the zoning parameters for the CR zone. Approximately 102 bike parking or storage spaces shall be provided in the garage. Loading shall be provided as shown on Exhibit 832A2.~~
4. *Parcel 5:* Parcel 5 shall be developed with 146 row dwellings, consisting of approximately 350,000 square feet of gross floor area, or a maximum density of 1.42 FAR. The row dwellings shall have a maximum height of 48 feet, which equates to four stories. Each row dwelling shall provide a minimum of one parking space. Twenty-two of the row dwellings shall be set aside as inclusionary units "Exempt Affordable Units" pursuant to section 2602.7., of which nine Exempt Affordable Units will be made available to households earning no more than 50 percent of AMI and the remaining made available to households earning no more than 80 percent of AMI. The Applicant will comply with subsection 2602.7, which requires such exempted developments set aside "Exempt Affordable Units" equal to at least the gross square footage that would have otherwise been required by Chapter 26. In this case, the Applicant will meet that requirement by reserving 12.25% of the project's residential gross area distributed among 22 individual affordable townhouses for so long as the project exists. Nine of the townhouses, representing 17,910 square feet of gross floor area, will be reserved and made affordable for households earning no more than 50 percent of the area medium income ("AMI") and 13 of the townhouses will be reserved and made affordable for households earning no more than 80 percent of

the AMI. In compliance with section 2602.7, the Applicant will record a covenant approved by the District in the land records of the District of Columbia before the first purchase agreement or lease is executed for the townhouses.

5. *Parcel 6:* Parcel 6, which ~~shall~~ includes the South Service Court, shall be developed as a Park including a 6.2 acre open space with a community center, as shown on the drawings prepared by EEK Perkins Eastman Architects dated April 11, 2014, marked as Exhibits 32A1A and 32A2 to the record, and as supplemented by drawings submitted on June 23, 2014, marked as Exhibit 832 in the record. The community center shall be constructed to a maximum height of 26 feet and contain approximately 17,500 square feet of gross floor area, or a density of approximately .07 FAR. The community 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, 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. Parcel 6 shall have 21 dedicated parking spaces and a dedicated loading area located in the South Service Court.
6. *Parcel 7:* Parcel 7 shall include the North Service Court with preserved historic silos and regulator houses, two-way circulation for all modes, and pedestrian facilities.
7. The Applicant shall have the flexibility with the design of the PUD in the following areas:
  - a. To provide a range in the number of residential units on Parcel 4 of plus or minus ten percent from the number depicted on the plans dated April 11, 2014, marked as Exhibit 32A, and supplemented by drawings submitted on June 23, 2014, marked as Exhibit 823A in the record;
  - b. From the roof structure set back requirements, consistent with the roof plans submitted as part of the plans dated April 11, 2014, marked as Exhibit 32A, and supplemented by drawings submitted on June 23, 2014, marked as Exhibit 823A in the record, **and drawings submitted August 25, 2014, marked as Exhibit \_\_\_ to the record;**
  - c. From the loading requirements, consistent with the loading diagrams submitted in Exhibit 699B, and as modified by Exhibit 832A, **and drawings submitted August 25, 2014, marked as Exhibit \_\_\_ to the record;**
  - d. From the rear yard depth requirements, consistent with the plans dated April 11, 2014, marked as Exhibit 32A, and supplemented by drawings submitted on May 13, 2014, marked as Exhibit 699A in the record;
  - e. From the rear yard requirements for all of the Rowhouses except Building 9 and 19, consisted with the submitted plans.
  - f. From the open court width requirements at Building.
  - ~~g. From the Inclusionary Zoning requirements to provide a senior affordable component on Parcel 4, comprised of 85 residential units devoted to seniors earning between 50 and 60 percent of the AMI;~~

- h. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not substantially change the exterior configuration of the buildings;
  - i. To vary the location and configuration of the affordable units on Parcels 2 and 4. Except for the affordable senior units on Parcel 4, the proportion of studio, efficiency, and one-bedroom affordable units to all affordable units shall not exceed the proportion of market-rate studio, efficiency, and one-bedroom units to all market rate units with a mixed-income building. The affordable units shall be of a size equal to the market-rate units, provided that the affordable units may be the smallest size of each market-rate type and have no luxury-scaled unit counterpart.
  - j. To vary the garage layout, the number, location, and arrangement of the parking spaces on each of the Parcels, provided that the total number of parking spaces is not reduced below the minimum level required by the Zoning Commission;
  - k. To vary the layout of the loading facilities on Parcel 1, provided that the dimensions and number of loading facilities are not reduced.
  - l. 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, without reducing the quality of the materials; and to make minor refinements to exterior details and dimensions, including curtainwall mullions and spandrels, window frames, glass types, belt courses, sills, bases, cornices, railings and trim, location, orientation, and quantity of the fins, or any other changes to comply with the District of Columbia Building Code, the recommendations of the D.C. Historic Preservation Review Board or the Mayor's Agent for Historic Preservation, or that are otherwise necessary to obtain a final building permit.
  - m. To vary the final design of retail frontages, including locations of doors, design of show windows and size of retail units, to accommodate the needs of specific retail tenants;
  - n. To vary the location and size of signs on the buildings, as long as they conform to the sign guidelines for the PUD;
  - o. To vary the location, attributes and general design of the public spaces and streetscapes incorporated in the PUD to comply with the requirements of the approval by DDOT's Public Space Division;
  - p. To vary the final selection of the plantings and beds within the range and types as proposed, based on availability at the time of installation during the appropriate planting season for the material selected, without reducing the quality of plantings or the layout and arrangement; and
  - q. If any retail areas are leased by a restaurant or food service user, flexibility to vary the location and design of the ground floor components of the building(s) in order to comply with any applicable District of Columbia laws and regulations, including the D.C. Department of Health, that are otherwise necessary for licensing and operation of any restaurant use.
8. The Applicant shall have the option to construct the project in phases, as shown on the plans, as follows:

- a. Phase I consists of Parcels 1, 4, 5, 6 and 7, which include the Olmsted Walk and the internal roadways; and
  - b. Phase II consists of Parcels 2 and 3.
- The deadline for filing applications for building permits and to construct the phases is set forth in Condition D.2.

**C. Public Benefits**

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, and supplemented by drawings submitted on June 23, 2014, marked as Exhibit 832 in the record; 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 500,000 square feet of public open space comprised of the South Park, the North and South Service Courts, the healing gardens, preserved Cell 14 and the Olmsted Walk. The Olmsted Walk, as shown on the drawings, shall be handicapped accessible and include benches along the walk. The South Park shall include covered seating areas with at least four durable, high quality picnic tables and benches, 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 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 retain and rehabilitate and renovate the North and South Service Courts, including all 20 sand storage bins, all four regulator houses, at least one sand washer, eleven filter bed portals and extended 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 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 and, if permission is granted, to install it on the PUD Site.

5. 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.
6. 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 67,018 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 percent to 60 percent of AMI. An additional 25 units, or approximately 21,341 square feet of total gross floor area devoted to housing, shall be set aside on Parcel 2 for household earning 80 percent of the AMI. Finally, 22 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 percent of the AMI and the remaining affordable rowhouses will be made available to households earning no more than 80 percent of the 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.
7. CBE Participation: Prior to the issuance of a building permit, the Applicant shall execute a CBE Agreement with [the Department of Small and Local Business Development \("DSLBD"\)](#) to achieve, at a minimum, 35 percent 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 Certified Business Enterprises \("CBE"\) 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 CBEs throughout the process.](#) The PUD shall also include 20 percent equity sponsor participation by a CBE.
8. 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 percent 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.
9. 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.

10. Transportation Features: The PUD Site shall be a multi-modal transit hub that accommodates transit services, such as the Metrobus, Circulator Bus, and the future Streetcar, and provides simple connections to Capital Bikeshare stations, including three new stations on the PUD Site. The PUD shall provide short- and long-term bicycle storage and changing facilities, privately run shuttles, and on- and off-street parking facilities. The Applicant shall implement the loading and curbside management plan, as set forth in Exhibit 832F3 to the record, and the TDM Monitoring Plan set forth in Exhibit \_\_\_ to the record. The Applicant shall have the flexibility to modify the monitoring/reporting requirements in coordination with DDOT. The Applicant shall implement the Transportation Performance Plan dated August 25, 2014, submitted to the record as Exhibit . The Applicant shall implement the transportation infrastructure improvements recommended by Gorove/Slade Associates and DDOT, as well as extensive transportation demand management measures. Among other things, the transportation improvements and measures shall include:
- a. Recommended improvements to nearby bus routes to better serve the PUD Site and the neighbors, including instituting rush hour express bus service;
  - b. Recommended acceleration of planning and development of the planned Brookland-Columbia Heights Streetcar;
  - c. The provision of an interim shuttle service to the Brookland Metrorail Station prior to the District's implementation of a Circulator Bus route and streetcar line that would serve the PUD Site, at a value of \$1,250,000; and
  - d. The Applicant's commitment to incentivize on-site residents and retail tenants to use public transit, such as providing space for a Transit Store, supplementing employee SmarTrip cards, and providing car-sharing and Capital Bikeshare memberships.
  - e. ~~The Applicant will explore the possibility of offering a shuttle service to connect the senior residents in Ward 5 at the following stops to the retail shops and community center at the PUD Site, based on demand:~~
    1. ~~House of Lebanon Senior Housing Complex at the unit block of O Street, N.W.~~
    2. ~~3rd and Q Streets, N.W., at the current Metrobus stop~~
    3. ~~1st Street and Florida Avenue, N.W., and 1st and P Streets, N.W.~~
    4. ~~1st Street and New York Avenue, N.W.~~
    5. ~~1st Street and Rhode Island Avenue, N.W.~~
11. Environmental Benefits: The master plan for the overall development for the PUD Site will be evaluated for LEED Neighborhood Development and will be certified at least LEED Gold or its equivalent. Each project will be LEED Silver or Green Communities compliant, depending on its commercial or residential designation. Upon completion, the overall PUD Site will 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.

12. Uses of Special Benefit to the Community and City: [The Applicant shall provide the following community benefits:](#)
- a. [Prior to the issuance of the first Certificate of Occupancy for the Healthcare Facility on Parcel 1, the Applicant shall initiate annual payments of \\$140,000 each over a five-year period \(\\$700,000 total\) to the Community Foundation of the National Capital Region \("CFNCR"\) to support workforce development initiatives to improve low-income workers skills, credentials, career prospects, earnings, and job placement, particularly in key local industries and occupations. Additionally, prior to settlement on the sale of the first townhouse on Parcel 5, the Applicant shall initiate annual payments of \\$60,000 each over a five-year period \(\\$300,000 total\) to the CFNCR to support scholarships for 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.](#) 1,000,000 as a workforce development fund to be coordinated by the Community Foundation of National Capital Region ("CFNCR"), of which \$300,000 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 remaining \$700,000 directed to organizations whose mission includes 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.
  - b. [Prior to settlement on the sale of the first townhouse on Parcel 5, the Applicant shall initiate annual payments of \\$25,000 each over a five-year period \(\\$125,000 total\) to the D.C. Education Fund to be used to improve science, technology, engineering, and math \("STEM"\) teacher professional development and instruction, as well as student learning and achievement, particularly at Dunbar High School, McKinley Technical High School, and Langley Educational Campus.](#) \$125,000 to parent teacher associations or other appropriate non-profit organizations serving Science, Technology, Engineering and Math ("STEM") programs at Dunbar High School (\$50,000), McKinley Technical high school (\$50,000) and Langley Educational Campus (\$25,000).
  - c. [Prior to the issuance of the first Certificate of Occupancy for the building on Parcel 4 and prior to the first settlement on the sale of a house on Parcel 5, the Applicant shall initiate annual payments of \\$50,000 over a](#)



ten-year period (\$500,000 total) ~~over a ten-year period in~~ to the project association to hire high-school age residents and senior residents to provide guided tours of the McMillan site highlighting the preserved historic resources.

- d. Prior to the issuance of the first Certificate of Occupancy for the building on Parcel 4 and prior to the first settlement on the sale of a house on Parcel 5, the Applicant shall initiate annual payments of \$75,000 over a ten year period (\$750,000 total) ~~over a ten-year period in~~ to 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.
- e. Prior to the issuance of the first Certificate of Occupancy for the building on Parcel 4, the Applicant shall show evidence of payment of \$225,000 to the project association to facilitate business start-ups in the project.
- f. Prior to the issuance of the first Certificate of Occupancy for the building on Parcel 4 and prior to the first settlement on the sale of a house on Parcel 5 (as outlined in Exhibit to the record), the Applicant shall provide evidence to the D.C. Department of Consumer and Regulatory Affairs (“DCRA”) that it has initiated payments to a contractor or otherwise will incur costs in the amount of \$500,000 over a five-year period for fabricating, installing, repairing and restoring tree box fence enclosures; planting trees and ground cover plants, and installing certain neighborhood signage in coordination with the Bates, Bloomingdale, Eckington, Edgewood, Hanover Area, and Stronghold Civic Associations. \$500,000 for neighborhood beautification projects in surrounding communities to be distributed as recommended by ANC 5E: Bates Civic Association (\$50,000); Bloomingdale Civic Association (\$175,000); Eckington Civic Association (\$100,000); Edgewood Civic Association (\$100,000); Hanover Civic Association (\$50,000); Stronghold Civic Association (\$25,000).
- g. The Applicant shall use best efforts to provide free WiFi for public use in the community center and park.
- h. Prior to the issuance of the first Certificate of Occupancy for the mixed-use building on Parcel 4, the Applicant shall initiate annual payments in the amount of \$30,000 each over a five-year period (\$150,000 total) to North Capitol Main Street, Inc. for storefront improvements located on North Capitol Street, N.E. and N.W., between Channing Street and New York Avenue \$150,000 to the North Capitol Main Street, Inc., for the storefront improvement program to provide grants for major corridors in ANC 5E boundaries affected by the PUD. 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.~~

- i. The Applicant will provide a total of approximately 97,770 square feet of gross floor area devoted to retail and service uses on the PUD Site. The retail space will include a full service grocery store.

**D. Miscellaneous**

1. The Office of Zoning shall not release the record of this case to the Zoning Regulations Division of Department of Consumer and Regulatory Affairs (DCRA) and no building permit shall be issued for the PUD until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant and the District of Columbia, that is satisfactory to the Office of the Attorney General and the Zoning Division, DCRA. Such covenant shall bind the Applicant and all successors in title to construct and use the property in accordance with this order, or amendment thereof by the Commission. The Applicant shall file a certified copy of the covenant with the records of the Office of Zoning.
2. The Consolidated PUD shall be valid for a period of two (2) years from the effective date of Zoning Commission Order No. 13-14. Within such time, an application must be filed for a building permit for the construction of Phase I of the project (described in A.6 above) as specified in 11 DCMR § 2409.1; the filing of the building permit application will vest the Zoning Commission Order. Construction of Phase I of the project must commence within three (3) years of the effective date of Zoning Commission Order No. 13-14. The Applicant shall file a Stage 2 PUD application for Phase II of the PUD within two years [normally one year] after the effective date of Zoning Commission Order No. 13-14. The Applicant shall not be required to file an application for a building permit for the park on Parcel 6 or the improvements to Cell 14 on Parcel 1 until six months prior to the date that D.C. Water intends to vacate that particular portion of the Phase I PUD site. Construction of the park on Parcel 6 or the improvements to Cell 14 must commence within one year after the building permit is issued for that portion of the Phase I PUD site.
3. The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (“Act”) the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, familial status, family responsibilities, matriculation, political affiliation, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action. The failure or refusal of the Applicant to comply shall furnish

grounds for the denial or, if issued, revocation of any building permits or certificates of occupancy issued pursuant to this Order.