

Z.C. Case No. 13-14E  
**Applicant's Updated Retail Program and Increased Commitments**  
July 16, 2025

Following additional engagement with and feedback from neighboring residents, the Applicant proposes the modified retail program with a greater minimum commitment as follows:

1. The Parcel 4 total retail range will be 33,500-59,000 SF, of which a minimum of 22,500 SF will be for a grocery store.
2. Only if the current grocery store lease is terminated, the Parcel 4 total retail range will be 21,000-59,000 SF, of which a minimum of 10,000 SF will be for a grocery store.
3. For both Parcels 2 and 4, the allowed uses in the ground floor retail spaces will include retail, daytime care, private education, entertainment/assembly/performing arts, and general service. All of these uses are permitted as a matter-of-right in the MU-10 zone.

All other modifications and flexibility remain as previously proposed. An updated executive summary of the application, including commitments and flexibility, are on the next page.

## UPDATED Executive Summary of Application for Modification to Parcels 2 & 4 in Reservoir District PUD

| Basic Information            |  |
|------------------------------|--|
| Applicant                    | McMillan Parcel 2 Owner LLC & McMillan Parcel 4 Owner LLC  |
| Property                     | Parcel 2 and Parcel 4 in the Reservoir District (Square 3128, Lots 809, 814, & 815)  |
| Current Approval             | <ul style="list-style-type: none"> <li>1<sup>st</sup> Stage and 2<sup>nd</sup> Stage PUDs for Parcel 2: Mixed-use building (82'-6" tall and 235,513 GSF) with approx. 233 residential units (27 affordable units) and approx. 18,259 SF retail and 227 parking spaces</li> <li>Consolidated PUD for Parcel 4: Mixed-use building (78'-8' tall and 310,283 GSF) with approx. 281 residential units (85 are senior affordable units) and 58,705 SF grocery store and 329 parking spaces</li> <li>PUD-related Map Amendment to CR zone (now MU-10)</li> </ul>   |
| Application                  | Modification with Hearing  |
| Proposed Modifications       | <ul style="list-style-type: none"> <li>Parcel 2 <ul style="list-style-type: none"> <li>83' tall; 255,000 GSF; FAR of 4.18 (0.28 non-residential)</li> <li>17,000 SF of retail</li> <li>266 residential units (141 senior affordable in East and 125 market rate in West)</li> <li>122 parking spaces (more than zoning minimum)</li> <li>2 30-foot loading berths; 2 20-foot service/delivery spaces</li> <li>Removal of pedestrian bridge; two separate buildings (East and West)</li> </ul> </li> <li>Parcel 4 <ul style="list-style-type: none"> <li>84' tall; 350,000 GSF; FAR of 4.14 (0.7 non-residential)</li> <li>59,000 SF of retail, of which 22,500 SF for grocery store</li> <li>324 residential units</li> <li>Relocate all senior affordable units to Parcel 2 East</li> <li>311 parking spaces (more than zoning minimum)</li> <li>2 40-foot loading berths; 1 75-foot loading berth; 1 20-foot service/delivery space</li> </ul> </li> </ul>   |
| Proposed Affordable Housing  | <ul style="list-style-type: none"> <li>141 senior affordable units in Parcel 2 East (39 @ 30% MFI; 86 @ 50% MFI; 16 @ 60% MFI) <b>OR</b></li> <li>If District does not award funding, 88 senior affordable units in Parcel 2 East (25 @ 30% MFI; 53 @ 50% MFI; 10 @ 60% MFI) AND approx. 27 non-senior affordable units in Parcel 2 West and/or Parcel 4 (25 @ 80% MFI; 2 @ 50% MFI)<sup>1</sup></li> </ul>  |
| Program & Design Flexibility | <ul style="list-style-type: none"> <li>Parcel 2 <ul style="list-style-type: none"> <li>Vary retail between 5,000-17,000 SF</li> <li>Lodging use in West for 120-226 guest rooms and related change in loading and reduction in building size</li> <li>Reduce senior affordable units in East to 88 (if financing not awarded) and related reduction in building size</li> </ul> </li> <li>Parcel 4 <ul style="list-style-type: none"> <li>Vary retail between 33,500-59,000 SF, of which min. 22,500 SF for grocer</li> <li>If current grocer lease is terminated, vary retail between 21,000-59,000 SF, of which min. 10,000 SF for grocer</li> <li>Temporary lodging use for up to 20% of residential units during building lease-up</li> </ul> </li> <li>Both Parcels <ul style="list-style-type: none"> <li>Increase building height by up to 5'</li> <li>Allow uses in ground floor retail spaces to include retail, daytime care, private education, entertainment / assembly / performing arts, and general service</li> <li>Vary number of residential units by +/- 10%</li> <li>Convert balance of ground floor to residential, subject to retail minimums</li> <li>Change locations of entrances for residential, retail, loading, and parking</li> <li>Vary number of parking spaces to between zoning min. and zoning excess max.</li> <li>Change loading to zoning minimum and to accommodate retailers' needs</li> <li>Change some exterior materials, subject to HPRB approval</li> </ul> </li> </ul> |
| Zoning Flexibility           | <ul style="list-style-type: none"> <li>Parcel 2 <ul style="list-style-type: none"> <li>Side yard relief</li> <li>Plaza relief</li> </ul> </li> <li>Parcel 4 <ul style="list-style-type: none"> <li>Penthouse setback relief</li> <li>Penthouse multiple enclosure relief</li> <li>Side yard relief</li> <li>Plaza relief</li> </ul> </li> <li>Ability to construct Parcel 2 East, Parcel 2 West, or Parcel 4 together or in phases; building permit application for first phase to be filed within 2 years and construction to commence within 3 years; construction of all phases completed within 12 years</li> </ul>  |

<sup>1</sup> The final number of non-senior affordable units would be based on the final total residential unit count, as stated in the LDDA, which requires 20% of all units in the overall PUD to be affordable.