

October 20, 2014

VIA ELECTRONIC FILING AND HAND DELIVERY

Anthony Hood, Chairperson  
D.C. Zoning Commission  
Office of Zoning  
441 4th Street, N.W., Suite 210  
Washington, DC 20001

Re: Z.C. Case No. 14-04  
Best and Final Offer Response re: Proffers

Dear Chairman Hood and Members of the Commission:

Pursuant to Section 2403.20 of the Zoning Regulations, this letter contains revisions to the proposed conditions for the above-captioned case in response to comments from the Office of the Attorney General and the Office of Planning. Based on these comments, Project Development Condition #4 and Project Development Conditions #10(c) and #10(e) have been revised. All other conditions remain as proposed in the Applicant's October 6, 2014 letter.

The language below denotes changes to the conditions included in the Applicant's proposed findings and facts and conclusions of law that were made in response to the Commission's comments at the September 29, 2014 public meeting.

| <u>Proffer (per finding of fact 27)</u>                                                       | <u>Proposed Condition</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
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| Uses of special value, including:<br><br>iv. Approximately 4,000 square feet of retail space. | <u>Project Development</u><br><br>4. The Property shall be used for <del>office use</del> <del>any use permitted in the C-3-C Zone District</del> provided that at least 4,000 square feet of gross floor area is set aside for retail or service uses; <u>however, after a term of forty years from the effective date of this Order, the Property may be used for any use permitted in the C-3-C Zone District provided that that least 4,000 square feet of gross floor area is set aside for retail or service uses.</u> |

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| <p>Design Flexibility</p> | <p><u>Project Development</u></p> <ol style="list-style-type: none"><li>1. The Applicant shall have flexibility with the design of the PUD in the following areas:<ol style="list-style-type: none"><li>a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, elevators, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;</li><li>b. To vary final selection of the exterior materials within the color ranges and materials types as proposed based on availability at the time of construction;</li><li>c. To vary the final streetscape design and materials <del>as required by</del> <u>subject to review and approval by the appropriate District public space</u> permitting authorities;</li><li>d. To make minor refinements to exterior details and dimensions, including balcony enclosures, belt courses, sills, bases, cornices, railings, and trim, or any other changes to comply with Construction Codes or that are otherwise necessary to obtain a final building permit, or to address the structural, mechanical, or operational needs of the building uses or systems;</li><li>e. To vary the number, size, location and design features of retail entrances and windows, including the size, location, and design of windows, doors, awnings, canopies, and similar features, to accommodate the needs of specific retail tenants and storefront design, <u>provided that the number of entrances or amount of glazing at street level is not less than as shown on the approved plans;</u></li><li>f. To vary the number, size, location, and other features of proposed <u>retail and building entrance signage</u>, provided that</li></ol></li></ol> |
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|  | <p>such signage is otherwise permitted under the applicable provisions of the District of Columbia Municipal Regulations;</p> <p>g. <del>To locate green roof on the existing IFC headquarters as well as on the roof of the Project; and</del></p> <p>h. To vary the height of <u>the front portion of the roof structure between a height of 12' and 16' as well as</u> <del>and</del> the location of roof terrace doors, <del>provided that the final design complies with the applicable maximum height and setback requirements.</del></p> |
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We look forward to the Zoning Commission taking Final Action on this case.

Very truly yours,



Phil Feola



David Avitabile

DA/da

**CERTIFICATE OF SERVICE**

On October 20, 2014, I caused a copy of the foregoing letter and enclosure to be delivered by electronic, hand or by U.S. Mail to the following:

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David Avitabile