PROFFER	**CONDITION**
a) Urban Design, Architecture, and Open Space (*11 DCMR § 2403.9(a)*) - The project implements a number of urban design and architectural best practices that will assist in the further development of H Street, NE into a major mixed-use corridor with high-quality architecture, affordable residential units for a diverse population, and neighborhood-serving retail and service establishments. The project incorporates high-quality architecture and visually-interesting and articulated building facades that will improve the visual nature of the surrounding block. The building also features high-quality materials, including cast stone with aluminum storefront windows on the first and second levels (retail use) and red brick with metal coping and a black metal cornice on the third through sixth levels (residential use). As requested by ANC 6C, the building includes at-risk windows on the east façade. The project includes streetscape improvements, including short-term bicycle racks for a minimum of 12 bicycles, benches, and street trees, that will enhance the pedestrian-friendly nature of the site's H Street location. Large street-facing windows on the building's north and west facades will enhance the urban retail presence and help create a safe, vibrant, and multi-modal neighborhood. Furthermore, the Applicant will restore the public alley to the rear (south) of the Subject Property, for a length of 122 feet and a width of 12 feet.	a.1. The project shall be developed in accordance with the architectural plans and elevations (the "Plans"), dated May 14, 2015 (Exhibit 33), as modified by the alley plan, dated June 4, 2015 (Exhibit __), and as modified by the guidelines, conditions and standards of this Order. a.2. In accordance with the Plans, the PUD shall be a mixed-used project consisting of approximately 47,971 square feet of gross floor area, with approximately 32,560 square feet of gross floor area devoted to residential use and approximately 15,411 square feet of gross floor area devoted to retail use. a.3. In accordance with the Plans, the building shall incorporate cast stone with aluminum storefront windows on the first and second levels, and red brick with metal coping and a black metal cornice on the third through sixth levels. As shown on the Plans, the building shall include at-risk windows on the east façade. a.4. In accordance with the Plans, the project shall include short-term bicycle racks for a minimum of 12 bicycles, benches, and planters in the public space in front of the building. a.5. In accordance with the alley plan (Exhibit ____), and prior to the issuance of a certificate of occupancy for the building, the Applicant shall restore the public alley to the rear (south) of the Subject Property, for a length of 122 feet and a width of 12 feet.
b) Housing and Affordable Housing (*11 DCMR § 2403.9(f)*) - In addition to furthering the general housing objectives and policies of the Zoning Regulations and the Comprehensive Plan, the project will help satisfy the growing demand for housing in this rapidly changing neighborhood. The project	b.1. The project shall be developed in accordance with the architectural plans and elevations (the "Plans"), dated May 14, 2015 (Exhibit 33), as modified by the alley plan, dated June 4, 2015 (Exhibit __), and as modified by the guidelines, conditions and standards of this Order.

will replace the Subject Property's existing non-residential uses with a new building that will contain approximately 28 residential units, amounting to approximately 32,560 square feet of gross floor area devoted to residential use. Significantly, the Applicant will set aside no less than eight percent of the building's residential gross floor area for affordable dwelling units devoted to households earning up to 50% of the area medium income ("AMI"). This subsidy level is steeper than the subsidy required by the Inclusionary Zoning ("IZ") regulations for the C-2-B District, which require 100% of the IZ units to be set aside for households earning up to 80% of the AMI. In the existing C-2-A District, the IZ regulations require that half of the gross floor area devoted to IZ units be set aside for households earning up to 50% of the AMI, and half of the gross floor area devoted to IZ units be set aside for households earning up to 80% of the AMI.	b.2. For the life of the project, a minimum of eight percent of the total residential gross floor area shall be dedicated as affordable housing consistent with Chapter 26 of the Zoning Regulations. Based on the expected size and mix of the units in the project, eight percent will result in approximately three IZ units, or approximately 2,296 square feet of gross floor area. The affordable units shall be distributed vertically and horizontally throughout the residential portion of the building and shall not be overly concentrated on any floor (other than the top story) of the project. The proposed size and location of the IZ units are shown on page 17 of the Plans (Exhibit 33). All of the IZ units shall be devoted to households earning up to 50% of the AMI. The three IZ units
c) <u>Environmental Benefits (*11 DCMR § 2403.9(h)*)</u> - The Applicant will provide a high-quality new development in the District of Columbia that is sensitive to the natural environment. The Applicant will implement a number of strategies to enhance the inherently sustainable nature of the Subject Property's location and to promote a healthy, desirable, and comfortable lifestyle that will benefit the project's residents and minimize the building's impact on the environment. The proposed development includes landscaping, a green roof, energy efficient appliances, methods to reduce stormwater runoff, and green engineering practices. Although the Applicant is not seeking LEED-certification for the building, the project will meet a LEED Gold equivalent rating and will be designed to meet rigorous energy and environmental design standards using the LEED 2009 for New Construction and Major Renovations rating system as a guide and performance metric.	c.1. The project shall be developed in accordance with the architectural plans and elevations (the "Plans"), dated May 14, 2015 (Exhibit 33), as modified by the alley plan, dated June 4, 2015 (Exhibit __), and as modified by the guidelines, conditions and standards of this Order. c.2. The building shall be designed to include no fewer than the minimum number of points necessary to be the equivalent of a LEED Gold designation, as shown on the theoretical LEED score sheet submitted with the Plans dated May 14, 2014. c.3. The project shall be designed to comply with the GAR requirements of Chapter 34 of the Zoning Regulations, as shown on the GAR sheet submitted with the Plans dated May 14, 2015.

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The project will also comply with the green area ratio ("GAR") requirements set forth in Chapter 34 of the Zoning Regulations by providing approximately 1,044 square feet of bioretention facilities and an approximately 3,813 square foot green roof.	
d) Transportation Benefits (*11 DCMR §2403.9(c)*) - The proposed development includes five on-site parking spaces, one of which will be dedicated to a car-share company and accessible 24 hours a day to registered car-share members. The project will also implement significant transportation demand management ("TDM") measures, including the following: 1. Resident Transportation Coordinator ("RTC"): The Applicant's site management will designate one employee as the RTC. Among this person's duties will be to provide information to residents, particularly incoming residents, regarding transit opportunities and schedules, as well as the location of Capital Bikeshare stations within the area and bicycle parking within the building. The RTC will generally encourage non-private automobile usage and will have related information prominently displayed in the residential lobby. 2. Digital Multimedia Display: The Applicant will install a digital multimodal display known as a "TransitScreen" in the residential lobby that provides schedule information of Metrobus, Metrorail, and locations of Capital Bikeshare stations and car-share locations, among other transportation-related information. 3. Bicycle Usage Program: The Applicant will provide a bicycle storage room in a secure, convenient location that will be	d.1. The project shall be developed in accordance with the architectural plans and elevations (the "Plans"), dated May 14, 2015 (Exhibit 33), as modified by the alley plan, dated June 4, 2015 (Exhibit __), and as modified by the guidelines, conditions and standards of this Order. d.2. Prior to the issuance of a certificate of occupancy for the building, the Applicant shall designate one of the secure on-site vehicle parking spaces to a car-share company, and shall make that space accessible 24-hours a day to registered car-share members. d.3. Prior to the issuance of a certificate of occupancy for the building, The Applicant shall implement the following TDM measures: 1. Resident Transportation Coordinator ("RTC"): The Applicant shall designate one employee as the RTC. Among this person's duties will be to provide information to residents, particularly incoming residents, regarding transit opportunities and schedules, as well as the location of Capital Bikeshare stations within the area and bicycle parking within the building. 2. Digital Multimedia Display: The Applicant shall install a digital multimodal display known as a "TransitScreen" in the residential lobby that provides schedule information of Metrobus, Metrorail, and locations of Capital Bikeshare stations and car-share

accessible to residents at all times and can accommodate up to 24 bicycle parking spaces. The Applicant will provide a one-time Capital Bikeshare annual membership fee for each initial residential tenant of the building. 4. <u>Car Sharing</u>: The Applicant will provide a one-time car sharing membership (totaling $85.00) to each initial residential tenant of the building. 5. <u>Transit Subsidy</u>: The Applicant will provide a one-time $100.00 SmarTrip card to each initial residential tenant of the building. 6. <u>Residential Parking Permit (“RPP”) Program Exclusion</u>: The Applicant will prevent residential tenants of the building from obtaining RPPs by (i) placing a clause in emphasized type in all residential leases that prohibits residents from applying for or obtaining RPPs upon pain of mandatory lease termination to the full extent permitted by law; (ii) ensuring that DDOT removes the Subject Property from the list of properties eligible for RPP, or if it is not on the list, classifying it as ineligible for RPP; (iii) should the Applicant offer any units for sale, adding a covenant that runs with the land prohibiting residents from applying for or obtaining RPPs; and (iv) executing a covenant that runs with the land that generally embodies the aforementioned RPP restrictions. 7. <u>Unlawful Parking/Stopping</u>: The Applicant will place a provision in the leases for all commercial tenants requiring them to actively discourage visitors to their establishment from unlawfully stopping or parking automobiles in front of the Subject	locations, among other transportation-related information. 3. <u>Bicycle Usage Program</u>: The Applicant shall provide a bicycle storage room in a secure, convenient location that will be accessible to residents at all times and can accommodate up to 24 bicycle parking spaces. The Applicant shall provide a one-time Capital Bikeshare annual membership fee for each initial residential tenant of the building. 4. <u>Car Sharing</u>: The Applicant shall provide a one-time car sharing membership (totaling $85.00) to each initial residential tenant of the building. 5. <u>Transit Subsidy</u>: The Applicant shall provide a one-time $100.00 SmarTrip card to each initial residential tenant of the building. 6. <u>Residential Parking Permit (“RPP”) Program Exclusion</u>: The Applicant shall prevent residential tenants of the building from obtaining RPPs by (i) placing a clause in emphasized type in all residential leases that prohibits residents from applying for or obtaining RPPs upon pain of mandatory lease termination to the full extent permitted by law; (ii) ensuring that DDOT removes the Subject Property from the list of properties eligible for RPP, or if it is not on the list, classifying it as ineligible for RPP; (iii) should the Applicant offer any units for sale, adding a covenant that runs with the land prohibiting residents from applying for or obtaining RPPs; and (iv) executing a covenant that runs with the land that generally embodies the aforementioned RPP restrictions.

Property or elsewhere in the neighborhood in connection with visits to the establishment.	7. <u>Unlawful Parking/Stopping</u>: The Applicant shall place a provision in the leases for all commercial tenants requiring them to actively discourage visitors to their establishment from unlawfully stopping or parking automobiles in front of the Subject Property or elsewhere in the neighborhood in connection with visits to the establishment.
e) <u>First Source Employment Agreement (*11 DCMR § 2403.9(j)*)</u> - Expanding employment opportunities for residents and local businesses is a priority of the Applicant. Therefore, the Applicant will enter into a First Source Employment Agreement with the Department of Employment Services ("DOES") whereby the Applicant will use DOES as its first source for recruitment, referral, and placement of new hires for construction employees whose jobs are created by the PUD.	e.1. Prior to the issuance of a building permit, the Applicant shall enter into a First Source Employment Agreement with the DOES, whereby the Applicant shall use DOES as its first source for recruitment, referral, and placement of new hires for construction employees whose jobs are created by the PUD.
f) <u>Uses of Special Value to the Neighborhood and the District of Columbia as a Whole (*11 DCMR § 2403.9(I)*)</u> – The Applicant will donate $30,000 to Ludlow-Taylor Elementary School for the purchase of new playground equipment. The Applicant will also donate an additional $75,000 to Ludlow-Taylor Elementary School to be used as determined by the School's principal.	f.1 Prior to the issuance of a certificate of occupancy for the building, the Applicant shall donate $30,000 to Ludlow-Taylor Elementary School for the purchase of new playground equipment. The Applicant shall also donate an additional $75,000 to Ludlow-Taylor Elementary School to be used as determined by the School's principal.