

<u>PROFFER</u>	<u>CONDITION</u>
<u>Urban Design, Architecture, and Open Space (11 DCMR § 2403.9(a))</u> - The building will have a positive impact on the visual and aesthetic character of the immediate neighborhood and will further the goals of urban design while enhancing the streetscape. The project involves the replacement of the existing one-story building and parking lots with a new mixed-use, high density, visually interesting building with a significant amount of landscape, garden, and open space features. The streetscape will include new plantings and trees, a new 25-foot wide concrete sidewalk, and pedestrian-oriented lighting consistent with DDOT standards. The street furnishings will include benches, short-term bicycle racks, and trash/recycling receptacles. Throughout the project, open spaces will be used to create programmed amenity areas for residents, places of quiet, and activity areas including outdoor seating, courtyards, green space, and outdoor dining and lounging areas.	The project shall be developed in accordance with the architectural plans and elevations (the “Plans”), dated May 15, 2015 (Exhibit 24A), as modified by the supplemental plans (the “Supplemental Plans”) dated June 4, 2015 (Exhibit 40), and as modified by the guidelines, conditions and standards of this Order. In accordance with the Plans, the PUD shall be a mixed-used project consisting of approximately 227,089 square feet of gross floor area (8.0 FAR), with approximately 217,243 square feet of gross floor area devoted to residential use and approximately 9,880 square feet of gross floor area devoted to retail use. The project shall have 313 residential units, plus or minus 10%, and shall have a maximum height of 120 feet. The landscape design shall be developed in accordance with the landscape plans included as Sheets L01-L12 of the Plans (Exhibit 24A) and Sheet L02 of the Supplemental Plans (Exhibit 40).
b) <u>Housing and Affordable Housing (11 DCMR § 2403.9(f))</u> – The Applicant will set aside a total of approximately 26 affordable dwelling units (“ADUs”): approximately 13 ADUs will be located on-site for households earning up to 80% of the AMI, and approximately 13 ADUs will be located off-site for households earning up to 50% of the AMI. The total ADU square footage is estimated to be a minimum of approximately 21,494 net square feet, which significantly exceeds the Inclusionary Zoning (“IZ”) requirements for the C-3-C District, which require 8% of the residential square footage (approximately 15,493 net square feet) to be devoted to households earning up to 80% of the AMI.	The project shall be developed in accordance with the Plans dated May 15, 2015 (Exhibit 24A), as modified by Supplemental Plans dated June 4, 2015 (Exhibit 40), and as modified by the guidelines, conditions and standards of this Order. For the life of the project, the Applicant shall dedicate a minimum of 4% of the residential square footage of the building (approximately 7,747 net square feet, or 13 units) for households earning up to 80% of the AMI. These units shall maintain affordability in accordance with the Inclusionary Zoning requirements of Chapter 26 of the Zoning Regulations.

The proposed approximately 21,730 net square feet set aside for ADUs is 38% greater than the 15,493 net square feet that would otherwise be required under the Zoning Regulations. The affordable housing is also at a significantly steeper affordability level than required by the Zoning Regulations by providing 64% (approximately 13,557 net square feet) of the ADU square footage at an average of 50% of the AMI, thus creating truly affordable housing with homeownership opportunities for low income households. The ADUs will be distributed as follows: 4% of the building's residential square footage (approximately 7,747 net square feet, or 13 units) will be devoted to households earning up to 80% of the AMI. - The Applicant will contribute \$1.4 million to Habitat for Humanity of Washington, DC ("DC Habitat") to co-develop a minimum of approximately 13,747 net square feet in approximately 13 off-site ADUs, set aside for-sale to households earning an average of no more than 50% of the AMI. The off-site homes will have an average size of not less than approximately 1,000 square feet, and an average of approximately 2.5 bedrooms. Of the off-site units, a minimum equivalent of 4% of the building's residential square footage (approximately 7,747 square feet, or 7 units) will be located in ANC 5D and will maintain affordability in accordance with the Inclusionary Zoning requirements of Chapter 26 of the Zoning Regulations; and a minimum equivalent to 3% of the building's residential square footage,	Prior to the issuance of a Certificate of Occupancy for the building, the Applicant shall contribute \$1.4 million to DC Habitat to co-develop a minimum of approximately 13,747 net square feet in 13 off-site ADUs, set aside for-sale to households earning an average of no more than 50% of the AMI. The off-site homes shall have an average size of not less than approximately 1,000 square feet, and an average of approximately 2.5 bedrooms. The DC Habitat homes shall be as follows: A minimum equivalent of 4% of the building's residential square footage (approximately 7,747 square feet, or 7 units) shall be located in ANC 5D. These units shall maintain affordability in accordance with the Inclusionary Zoning requirements of Chapter 26 of the Zoning Regulations. A minimum equivalent to 3% of the residential square footage of the building, but not less than 6,000 square feet (or 6 units) shall be located in Ward 5, with a priority area of ANC 5D. These units shall have flexibility to be in accordance with the current DC Habitat covenants (included as part of Exhibit 24D in the record) in lieu of the Inclusionary Zoning requirements of Chapter 26 of the Zoning Regulations. Any off-site ADUs that are undeveloped prior to the issuance of the Certificate of Occupancy for the building shall revert as follows: the first five units undeveloped off-site shall revert back on-site for households earning up to 50% of the AMI, and any additional units thereafter shall revert back on-site for households earning up to 80% of the AMI. All on-site ADUs shall collectively be proportionate in size and type to the overall unit mix of the on-site development. In the worst case scenario where no off-site units are developed, the on-site ADU component would consist of 8% of the
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but not less than 6,000 square feet (or 6 units) will be located in Ward 5, with a priority area of ANC 5D, and will have flexibility to be in accordance with the current DC Habitat covenants (included as part of Exhibit 24D in the record) in lieu of the Inclusionary Zoning requirements of Chapter 26 of the Zoning Regulations. Any off-site ADUs that are undeveloped prior to the issuance of the Certificate of Occupancy for the building will revert as follows: the first five units undeveloped off-site would revert back on-site for households earning up to 50% of the AMI, and any additional units thereafter would revert back on-site for households earning up to 80% AMI. All on-site ADUs would collectively be proportionate in size and unit type to the overall unit mix of the on-site development. (In the worst case scenario where no off-site units are developed, the on-site ADU component would consist of 8% of the residential square footage of the building (approximately 15,493 net square feet, or 26 units) with 20% of the ADUs for households earning up to 50% of the AMI, and 80% of the ADUs for households earning up to 80% of the AMI).	residential square footage of the building (approximately 15,493 net square feet, or 26 units), with 20% of the ADUs for households earning up to 50% of the AMI, and 80% of the ADUs for households earning up to 80% of the AMI).
<u>Environmental Benefits (11 DCMR § 2403.9(h))</u> – The Applicant will ensure environmental sustainability through the implementation of sustainable design features and strategies to enhance the sustainable nature of the site's mixed-use, transit-rich location and to promote a healthy lifestyle for the project's residents. The project provides a host of environmental benefits consistent with recommendations of Section 2403.9(h), which include street tree planting and maintenance, landscaping, energy efficient and alternative	The project shall be developed in accordance with the Plans dated May 15, 2015 (Exhibit 24A), as modified by the Supplemental Plans dated June 4, 2015 (Exhibit 40), and as modified by the guidelines, conditions and standards of this Order. The building shall be designed to include no fewer than 50 points necessary to be the equivalent of a LEED Silver designation, as shown on the theoretical LEED score sheet submitted with the Plans (Exhibit 24A). The Applicant shall put forth its best efforts to

energy sources, methods to reduce stormwater runoff, and green engineering practices. The building will be designed to include sustainable features equivalent to LEED Silver, including a green roof, bioretention facility, landscaping, construction waste management techniques, recycled and sustainable materials, bicycle parking, energy-efficient building design and systems, and high density development at a transit-oriented location.	design the PUD so that it may satisfy such LEED standards, and the Applicant shall obtain third party certification of the sustainable design.
d) <u>Transportation Benefits (11 DCMR §2403.9(c))</u> – The Applicant incorporated a number of elements designed to promote effective and safe vehicular and pedestrian access to the site, convenient connections to public transit services, and on-site amenities such as bicycle parking and sufficient vehicular parking. See Sheets A27-29 of the Plans (Exhibit 24A). Moreover, the Applicant will implement the following transportation demand management (“TDM”) strategies: a. Designate a TDM Coordinator; b. Unbundle residential parking from the price of units; c. Distribute move-in transportation welcome packets to each resident upon move-in. The packets will include information such as: i. Promotion for DDOT’s goDCgo website, ii. Brochures on carsharing, ridesharing, and bikesharing programs, iii. Tips on smartphone applications and websites to	Prior to issuance of a Certificate of Occupancy for the building and for the life of the project , the Applicant shall provide the following TDM strategies: a. Designate a TDM Coordinator; b. Unbundle residential parking from the price of units; c. Upon initial move-in, distribute move-in transportation welcome packets to each resident. The packets shall include information such as: i. Promotion for DDOT’s goDCgo website, ii. Brochures on carsharing, ridesharing, and bikesharing programs, iii. Tips on smartphone applications and websites to use to navigate public transportation options, iv. Maps for nearby bicycle routes and lanes, v. Maps for Metrorail, Metrobus and DC Streetcar routes, and

use to navigate public transportation options, iv. Maps for nearby bicycle routes and lanes, v. Maps for Metrorail, Metrobus and DC Streetcar routes, and vi. Information on how to efficiently maintain cars to maximize fuel efficiency. d. Hold annual used bicycle drives for residents to donate bicycles to Gearin' Up Bicycles, a nearby non-profit 501c(3) community bike shop in Ward 5 that creates career development opportunities and teaches essential workplace skills to teenagers from underserved communities, while encouraging cycling as a practical, healthy means of transportation. Gearin' Up provides access to quality, affordable, used bicycles for those in need and hosts community outreach programs throughout the year; e. Provide power stations for electric vehicle car charging capability in up to 5% of garage parking spaces; f. Provide a secure bicycle storage with room for up to 105 bicycle parking spaces, including a maintenance area with a bike pump and tool set; g. Display an electronic message board in the residential lobby of the building that provides information on public transportation and other alternative transportation modes; h. Offer a one-time, one-year car-sharing or bike-sharing program membership to each initial resident of the building, for up to 313 memberships; and	vi. Information on how to efficiently maintain cars to maximize fuel efficiency. d. Hold annual used bicycle drives for residents to donate bicycles to Gearin' Up Bicycles, a nearby non-profit 501c(3) community bike shop in Ward 5 that creates career development opportunities and teaches essential workplace skills to teenagers from underserved communities, while encouraging cycling as a practical, healthy means of transportation. Gearin' Up provides access to quality, affordable, used bicycles for those in need and hosts community outreach programs throughout the year; e. Provide power stations for electric vehicle car charging capability in up to 5% of garage parking spaces; f. Provide a secure bicycle storage room with room for up to 105 bicycle parking spaces, including a maintenance area with a bike pump and tool set; g. Display an electronic message board in the residential lobby of the building that provides information on public transportation and other alternative transportation modes; h. Upon initial residential move-in, offer a one-time, one-year car-sharing or bike-sharing program membership to each resident of the building, for up to 313 memberships; and i. Provide parking spaces in the garage for fuel-efficient vehicles.
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i. Provide parking spaces in the garage for fuel-efficient vehicles	
<u>First Source Employment Agreement (11 DCMR § 2403.9(j))</u> – The Applicant will submit to DCRA a First Source Employment Agreement executed by the Applicant, consistent with the First Source Employment Agreement Act of 1984 and the Apprenticeship Requirements Amendment Act of 2004, and in substantially the same form as the First Source Employment Agreement included in the record at Exhibit 24E.	Prior to the issuance of a Certificate of Occupancy for the building, the Applicant shall submit to DCRA evidence that the Applicant executed and submitted a First Source Employment Agreement to the Department of Employment Services (“DOES”), consistent with the First Source Employment Agreement Act of 1984 and the Apprenticeship Requirements Amendment Act of 2004, and in substantially the same form as the First Source Employment Agreement included in the record at Exhibit 24E.
<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 dedicate up to \$600,000 for the design, construction, and maintenance of a new public park located on District-owned land adjacent to the PUD (Lot 806). As shown on the Plans (Exhibit 24A) and the Supplemental Plans (Exhibit 40), the park will include community gardens, trees and planting areas, new light fixtures, lawns, seating areas, a public plaza, a widened sidewalk, and an ADA-accessible pedestrian path from Florida Avenue up to the abutting property line to the north for future connection to Morse Street. The Applicant will collaborate with the contract purchaser of the property to the north of the park (300 Morse Street, N.E.) concerning the pedestrian connection to Morse Street. As called for in the Florida Avenue Market Study (“FAMS”), the park and pedestrian pathway will meet the FAMS’s goals of providing a convenient connection between the NoMa and Union Market neighborhoods and creating desired public green space. The park will be 75% complete prior to the issuance of Certificate of Occupancy for the proposed building, with the remainder to be	Prior to the issuance of a Certificate of Occupancy for the building, the Applicant shall submit to DCRA evidence that the Applicant has contributed \$600,000 for the design, construction, and maintenance of a new public park located on District-owned land adjacent to the PUD (Lot 806). As shown on the Plans (Exhibit 24A) and the Supplemental Plans (Exhibit 40), the park shall include community gardens, trees and planting areas, new light fixtures, lawns, seating areas, a public plaza, a widened sidewalk, and an ADA-accessible pedestrian path from Florida Avenue up to the abutting property line to the north for future connection to Morse Street. The park shall be approximately 75% complete prior to the issuance of a Certificate of Occupancy for the building, with the remainder to be completed within 120 days after issuance of the Certificate of Occupancy. Prior to the issuance of a Certificate of Occupancy for the building, the Applicant shall submit to DCRA evidence that the Applicant has made a \$10,000 contribution to the NoMa BID for use in connection with the Metropolitan Branch Trail Safety and Access

completed within 120 days after issuance of the Certificate of Occupancy. The Applicant will also make a \$10,000 contribution to the NoMa BID for use in connection with the Metropolitan Branch Trail Safety and Access Analysis, a study being commissioned by the NoMa BID to assess and recommend improvements to safety, infrastructure, and access points to the Metropolitan Branch Trail.	Analysis, a study being commissioned by the NoMa BID to assess and recommend improvements to safety, infrastructure, and access points to the Metropolitan Branch Trail.
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