

Zoning Commission Case No. 15-07: Final List of Proffered Public Benefits and Amenities
October 15th, 2015

Proffer	Condition
1. The Applicant has agreed to impose a 24 foot size restriction on trucks utilizing on-site loading space.	The Applicant will adhere to the terms of the Transportation Demand Management and Loading Management plans detailed in Exhibit 3-(D) of the record. The Applicant shall implement a Loading Management Plan, the terms of which shall include: • Vendors and on-site tenants will be required to coordinate and schedule deliveries with a loading coordinator who will be on duty during delivery hours. • Trucks accessing the on-site loading space will be limited to a maximum of 24 feet in length. • All tenants will be required to schedule any loading operation conducted using a truck greater than 20 feet in length. • Deliveries will be scheduled such that the loading space's (or nearby commercial loading zone) capacity is not exceeded. In the event that an unscheduled delivery vehicle arrives while the loading space (or commercial loading zone) is full, that driver will be directed to return at a later time when the loading space will be available so as to not impede the alley that passes adjacent to the loading space. • Inbound and outbound truck maneuvers will be monitored to ensure that trucks accessing the loading space do not block vehicular traffic along the alley except during those times when a truck is actively entering or exiting the loading space. Those driving the residential moving trucks will be instructed to utilize the alley from 4th Street only to access the loading facilities. Retail tenants will also be prohibited from delivering directly from H Street and instead use the commercial loading zone available on 4th Street for any curbside deliveries.

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	- Trucks accessing the loading facilities will utilize the 20 foot wide, east-west alley stub to wait for those vehicles using the alley to clear before entering the loading area. Once the area surrounding the loading dock is clear, trucks will proceed with their backing maneuver into the loading dock." - Trucks using the loading space will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 -- Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT's Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route System. - The loading space operation will be limited to daytime hours of operation, with signage indicating these hours posted prominently at the loading space with notification also given to tenants. The loading space will be open seven days a week from 7am-7pm.
2. The Applicant will require all trucks to access the loading space via the alley intersecting with 4 th Street.	The Applicant will adhere to the terms of the Transportation Demand Management and Loading Management plans detailed in Exhibit 34(D) of the record. See condition no. 1 above.
3. The Applicant has agreed to provide the first occupant of each residential unit over a two year period with a one-time annual carsharing membership and application fee, a \$100 SmarTrip card, and a one-time annual Capitol Bikeshare membership to help alleviate reliance on personal vehicles.	The Applicant will adhere to the terms of the Transportation Demand Management and Loading Management plans detailed in Exhibit 34(D) of the record. The Applicant shall implement a Transportation Management Plan ("TMP"), which shall include the following terms: Prior to issuance of a final certificate of occupancy, a member of the property management group shall be made a point of contact and will be responsible for coordinating, implementing, and monitoring the TMP strategies ("TMC"). This includes the development and distribution of information and promotional brochures to residents, visitors, patrons, and employees regarding

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transit facilities and services, pedestrian and bicycle facilities and linkages, ridesharing (carpool and vanpool) and car sharing. In addition, the TMC will be responsible for ensuring that loading and trash activities are properly coordinated and do not impede the pedestrian, bicycle, or vehicular lanes adjacent to the development, including the existing alley located behind the proposed building. The contact information for the TMC will be provided to DDOT/Zoning Enforcement with annual contact updates.

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- Prior to issuance of a final certificate of occupancy, a TransitScreen will be installed in the residential lobby to keep residents and visitors informed on all available transportation choices and provide real-time transportation updates. In addition, the TMC will provide a link to the TransitScreen website at move-in for new tenants.

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- Prior to issuance of a final certificate of occupancy, the TMC will establish a TDM marketing program that provides detailed transportation information and promotes walking, cycling, and transit. The marketing program will utilize and provide website links to CommuterConnections.com and goDCgo.com, which provide transportation information and options for getting around the District.

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- To help encourage non-auto transportation uses, the Applicant will provide the first occupant of each residential unit over a two year period with a one-time annual carsharing membership and application fee, a \$100 Smartrip card, and a one-time annual Capitol Bikeshare membership to help alleviate the reliance on personal vehicles. These incentives will be included in a move-in transportation package that includes brochures for transit facilities as well as bicycle and car sharing services for the first occupant of each residential unit. While the carsharing

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	membership allows usage for any carshare, it should be noted that the Applicant plans to reserve one of the on-site parking spaces for carshare use. - The Applicant will encourage all alternative transportation modes including bicycling. Bicycling will be promoted with the provision of six outdoor temporary bicycle parking racks in public space (4 racks on 11 Street and 2 racks on 4th Street) and at least 50 long-term bicycle parking spaces in bicycle storage rooms on the first floor and cellar levels. The marketing program will include brochures on bicycling in the District and for Capital Bikeshare. In addition, a bicycle repair station will be provided in the bicycle storage room in the garage. All bike spaces will be finalized prior to issuance of a final certificate of occupancy. - Retail employees and residents who wish to carpool will be provided detailed carpooling information as part of the marketing effort, and will be referred to other carpool matching services sponsored by the Metropolitan Washington Council of Governments. - Tenants of the development will be prohibited from obtaining RPP or Visitor Parking Pass (VPP) permits from the District Department of Motor Vehicles (DMV). If rental, this will be included in a clause in all residential leases prohibiting residents from applying for or obtaining RPP or using an RPP guest pass within one mile of the development. In addition, the Applicant will seek to have the development removed from the list of properties eligible for RPP, should it presently be on the list. Should any residential units be offered for sale, a covenant will be added to the deed of the units that will prohibit residents from applying for or obtaining RPP prior to issuance of a final certificate of occupancy.
4. The Applicant has agreed that tenants	The Applicant will adhere to the terms of the

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will be prohibited from obtaining Resident Parking Permit or Visitor Parking permits from the District Department of Motor Vehicles.	Transportation Demand Management and Loading Management plans detailed in Exhibit 31(D) of the record See above.
5. The Applicant has agreed to provide 4 bicycle racks on H Street and 2 bicycle racks on 4 th Street to provide short-term bike parking on-site.	Prior to issuance of a final certificate of occupancy, the Applicant will provide four short-term bicycle racks on H Street and two short-term bicycle racks on 4th Street. See above.
6. The Applicant has agreed to provide a bicycle room for 32 bicycles on the first floor of the building in order to encourage bicycle use.	The Project shall be developed in accordance with the architectural drawings submitted into the record on October 29, 2015, as Exhibit _____ as modified by the guidelines, conditions, and standards herein (collectively, the "Plans"). See above.
7. The Applicant has agreed to provide a 100 square foot space on-site as a storage area for the ANC.	The Project shall be developed in accordance with the architectural drawings submitted into the record on October 29, 2015 as Exhibit _____, as modified by the guidelines, conditions, and standards herein (collectively, the "Plans"). The Applicant shall have flexibility with the design of the PUD in the following areas: To modify the size and location of the ANC storage room so long as it is at least 100 square feet in size and is located on-site.
8. The Applicant has agreed to maintain minimum views in the retail spaces to help ensure a lively pedestrian experience along H Street.	The Project shall be developed in accordance with the architectural drawings submitted into the record on October 29, 2015 as Exhibit _____, as modified by the guidelines, conditions, and standards herein (collectively, the "Plans"). To vary the size, location and design features of the retail spaces to accommodate the needs of specific retail tenants, so long as the retail spaces maintain a minimum six foot depth of view for at least 50% of the area between three and eight feet above grade.
9. The Applicant has agreed to utilize a glazing that minimizes reflectivity on the south-facing windows.	Prior to issuance of a building permit, the project architect shall certify that the project utilizes Applicant shall utilize a glazing that minimizes reflectivity on the south-facing windows of the building.
10. The Applicant has agreed to improve the east-west alley that intersects with 4 th Street	Prior to issuance of a final certificate of occupancy, the Applicant shall reconstruct the

once it has completed its utility work in the alley.	east-west alley abutting the southern property line of the Project, as depicted in Exhibit 31A3. <u>The east-west alley is comprised of both the 20 foot wide and 10 foot wide alleys that abut the Property.</u>
11. The Applicant has agreed to clear the drains located in the alleys immediately abutting its property.	Prior to issuance of a final certificate of occupancy, the Applicant shall clear the drain located in the east-west alley abutting the southern property line of the Project as well as the drain located in the north-south alley to the south of the Project.
12. The Applicant agreed to improve the alley lighting with brighter candles.	Prior to issuance of a final certificate of occupancy, the Applicant shall improve alley lighting by increasing candles of two existing poles to a minimum of 3 foot candles.
13. The Applicant has agreed to replace a street tree that is currently dead on H Street.	Prior to issuance of a final certificate of occupancy, the Applicant shall replace the dead street tree along H Street that is adjacent to the northeastern portion of the Property <u>and located between 3rd and 4th Streets, NE.</u> <u>This shall be in addition to the street tree improvements outlined in Condition no. 14.</u>
14. The Applicant has agreed to work with the Capitol Place Homeowners Association (CPHOA) to minimize impacts of the project on their property. More specifically, the Applicant agrees to provide the CPHOA \$50,000, which is to be dedicated to any of the following items, as the CPHOA sees fit: retaining a landscape architect for the purpose of creating a master landscape plan for the CPHOA; installing a new irrigation system for the CPHOA; installing 3 new trees in CPHOA; replacing CPHOA railroad ties for planting beds with decorative concrete; installing 3 new lights to replace existing lights on CPHOA property; installing a new street tree in front of 769 3 rd Street; and improving tree boxes on 3 rd Street between H and G Streets.	Prior to issuance of a final certificate of occupancy, the Applicant agrees to retain a landscape architect for the purpose of creating a master landscape plan for the CPHOA, to be approved by the CPHOA, whose approval is not to be unreasonably withheld; In coordination with the landscape architect, the Applicant agrees to the following: - installation of a new irrigation system for the CPHOA (water taps and drains to be determined by CPHOA); - installation of 3 new trees in CPHOA; - replace CPHOA railroad ties for planting beds with decorative concrete; - installation of 3 new lights to replace existing lights on CPHOA property; - installation of a new street tree in front of 769 3rd Street; and - improve tree boxes on 3rd Street between H and G Streets. It is understood that the items in paragraphs (a)-(f), along with the retention of the

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	landscape architect, shall not exceed a combined total of \$50,000; CPHOA shall be permitted to prioritize the items in subsections (a)-(f), with the understanding that some items may not be completed due to the stated monetary cap. Subsections (a)-(f) shall be completed pursuant to the timeline set forth by the landscape architect in coordination with the CPHOA; these items are not required to be completed prior to issuance of a final certificate of occupancy.
15. The Applicant has agreed to underground the utilities serving its property.	Prior to issuance of a final certificate of occupancy, the Applicant shall remove the utility pole in the alley abutting its property and reroute the low voltage wires.
16. The Applicant agrees to provide affordable housing at deeper affordability levels than what is otherwise required.	One percent of the residential gross floor area shall be reserved for households with an annual gross income that is no greater than 50% of the Area Median Income ("AMI"), per Exhibit 31. One percent of the residential gross floor area shall be reserved for households with an annual gross income that is no greater than 60% of the AMI, per Exhibit 31. <u>Those units reserved for households with an annual income not to exceed 50% and 60% AMI, shall be two-bedroom units.</u>
17. The Applicant agrees to enter into a Construction Management Plan that will include terms requiring the Applicant to provide the contact information for the construction manager; ensure the public alley is regularly cleaned and maintained and that circulation through the alley will not be obstructed except during the period that the Applicant undertakes utility work in the alley; and confirm that construction workers will be required to park off-site. The CMP will also require the Applicant to provide an excavation schedule and advance notice of pile driving.	Prior to issuance of a building permit for the Project, the Applicant shall enter into a Construction Management Plan ("CMP") with the Capitol Place Homeowners Association ("CPHOA"). The CMP shall include terms requiring the Applicant to provide the contact information for the construction manager, ensure the public alley is regularly cleaned and maintained and that circulation through the alley will not be obstructed except during the period that the Applicant undertakes utility work in the alley, and confirm that construction workers will be required to park off-site. The CMP shall also require the Applicant to provide an excavation schedule and advance notice of pile driving.
18. The Applicant has agreed to work with the CPHOA regarding the replacement of the	Prior to issuance of a building permit for the Project, the Applicant shall coordinate with the

brick wall separating its property from the Applicant's.	CPIIOA regarding the removal and replacement of the brick wall located along the Project's southern property line, within input provided by CPIIOA. The Applicant shall provide fencing and/or security during the period any portion of the wall is removed.
19. The Applicant agreed to provide bollards along the northern façade of Michael Sims and Susan Anderson's home.	The Applicant shall provide bollards along the northern façade of 767 3 rd Street, NE (Square 777, Lot 843), as permitted by DDOT. The bollard plan shall be finalized during the public space process.

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