

**ZC Case No. 16-07**  
**Consolidated PUD and Related Map Amendment @ Square 399**  
**Proposed Public Benefits and Amenities**

<b><u>PROFFER</u></b>	<b><u>CONDITION</u></b>
<p><u>Urban Design, Architecture, and Open Space (11 DCMR § 2403.9(a))</u> –The Applicant proposes to redevelop the PUD Site with a mixed-use building comprised of ground floor retail and residential units above (the “Project”). The Project will contain approximately 90,558 square feet of gross floor area (6.0 FAR) and a maximum building height of 90 feet. Approximately 83,658 square feet of gross floor area will be devoted to residential use, not including the penthouse (approximately 66 total units) and approximately 6,900 square feet of gross floor area will be devoted to ground floor retail use. The Project will provide a total of 71 on-site parking spaces, 12 of which are vault spaces.</p> <p>The Project will have a positive impact on the visual and aesthetic character of the immediate neighborhood and will thus further the goals of urban design while enhancing the streetscape. The Project includes significant new public space improvements, including new street trees, groundcover, and ornamental plantings; raised metal planters; a low wall for seating with decorative coping and LED lighting on O Street; lighting; bicycle racks; permeable paving and granite curbs; decorative stone unit pavers; an ADA-compliant curb ramps with detectable warning pavers; and a single pendant arm pole for traffic control. All proposed vaults for the building are located on private property and not in public space. Moreover, the Project’s ground level is programmed with retail uses that will activate the surrounding streets.</p> <p>Moreover, with respect to site planning and efficient and economical land utilization, the Applicant's proposal to replace the existing low-density church building with a new</p>	<p>The Project shall be developed in accordance with the Architectural Plans and Elevations dated _____ (Ex. __) (the “Plans”) and as modified by the guidelines, conditions, and standards of this Order.</p> <p>In accordance with the Plans, the Project shall be a mixed-use building with approximately 90,558 square feet of gross floor area (6.0 FAR) and a maximum building height of 90 feet. Approximately 83,658 square feet of gross floor area shall be devoted to residential use, not including the penthouse (approximately 66 total units) and approximately 6,900 square feet of gross floor area shall be devoted to ground floor retail use. The Project shall provide a total of 71 on-site parking spaces, 12 of which are vault spaces.</p> <p>The public space improvements on O and 9<sup>th</sup> Streets shall be developed in accordance with Sheets ____ of the Plans, and shall include new street trees, groundcover, and ornamental plantings; raised metal planters; a low wall for seating with decorative coping and LED lighting on O Street; lighting; bicycle racks; permeable paving and granite curbs; decorative stone unit pavers; an ADA-compliant curb ramps with detectable warning pavers; and a single pendant arm pole for traffic control.</p>

<p>mixed-use, mixed-income apartment house constitutes a significant urban design benefit.</p>	
<p><u>Housing and Affordable Housing (11 DCMR § 2403.9(f))</u> – The Project will create new housing and affordable housing consistent with the goals of the Zoning Regulations, the Comprehensive Plan, and the Mayor's housing initiative. The Applicant will dedicate a minimum of 8% of the building's residential gross floor area as IZ units reserved for households earning up to 80% of the AMI. The Applicant will also dedicate a minimum of 8% of the residential gross floor area located in the penthouse's habitable space to households earning up to 50% of the AMI.</p> <p>The square footage generated by the penthouse habitable space to be devoted to IZ units at 50% of the AMI is approximately 386 square feet of gross floor area. The Applicant proposes to dedicate approximately 1,101 square feet of gross floor area to a single IZ unit at 50% of the AMI. Therefore, the Applicant is exceeding the required square footage for IZ units at 50% of the AMI by approximately 715 square feet.</p> <p>The IZ unit generated by the penthouse habitable space will be located in the main portion of the building. The proposed IZ schedule is set forth in the IZ Chart.</p>	<p><b><u>Prior to issuance of a Certificate of Occupancy and for the life of the Project,</u></b> the Applicant shall demonstrate to the Zoning Administrator that it has dedicated:</p> <ol style="list-style-type: none"> <li>a. A minimum of 8% of the building's residential gross floor area to households earning up to 80% of the AMI); and</li> <li>b. A minimum of 8% of the residential gross floor area located in the penthouse's habitable space to households earning up to 50% of the AMI.</li> </ol> <p>The IZ units generated by the penthouse habitable space shall not be required to be located in the penthouse. A breakdown of the required and provided IZ units is set forth in the IZ Chart below.</p>
<p><u>Environmental Benefits (11 DCMR § 2403.9(h))</u> – The Applicant will ensure environmental sustainability through the implementation of a series of sustainable design features. The Applicant will implement a number of strategies to further enhance the already sustainable nature of the PUD Site's mixed-use, transit-rich location and to promote a healthy lifestyle that will holistically benefit the Project 's residents while minimizing impact on the environment. The Project provides a host of environmental</p>	<p><b><u>Prior to issuance of a Certificate of Occupancy,</u></b> the Applicant shall demonstrate to the Zoning Administrator that the Project has been designed to include no fewer than the minimum number of points necessary to be the equivalent of the LEED Gold designation under the LEED 2009 for New Construction rating system. The Applicant shall put forth its best efforts to design the Project so that it may satisfy such LEED standards, but the Applicant shall not be</p>

<p>benefits consistent with recommendations of 11 DCMR§ 2403.9(h), which include street tree planting, landscaping, energy and water efficient systems, construction waste management techniques, methods to reduce stormwater runoff, and ample bicycle parking. Moreover, the Project will be designed to achieve LEED-Gold equivalent status under the LEED 2009 for New Construction rating system.</p>	<p>required to register or obtain the certification from the U.S. Green Building Council.</p>
<p><u>Employment Benefits (11 DCMR § 403.9(j))</u> The Applicant will submit to the Department of Consumer and Regulatory Affairs (“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.</p>	<p><b><u>Prior to issuance of a Building Permit</u></b>, the Applicant shall demonstrate to the Zoning Administrator that it has executed and submitted a First Source Employment Agreement to DOES, consistent with the First Source Employment Agreement Act of 1984 and the Apprenticeship Requirements Amendment Act of 2004.</p>
<p><u>Transportation Benefits (11 DCMR §2403.9(c))</u> – The Project includes a number of elements designed to promote effective and safe vehicular and pedestrian movement, transportation management measures, and connections to public transportation services. The Project includes 68 on-site parking spaces, which is an adequate amount given the PUD Site’s highly walkable downtown location. To promote pedestrian travel, the Applicant will improve the streetscape surrounding the PUD Site and will incorporate new pedestrian-oriented lighting and street furnishings. To promote bicycle travel, the Applicant will provide secure, indoor bicycle parking and will work with DDOT to install bicycle racks in the public space adjacent to the PUD Site.</p> <p>In addition, the Applicant will implement the following transportation demand management (“TDM”) measures to The Applicant will implement the following TDM strategies to reduce travel demand:</p>	<p><b><u>Prior to issuance of a Certificate of Occupancy</u></b>, the Applicant shall demonstrate to the Zoning Administrator that it has:</p>

<ul style="list-style-type: none"> <li>a. Provide bicycle parking facilities, including at least 23 long term (secure, interior) spaces and additional short-term (exterior) spaces;</li> <li>b. Identify TDM leaders for planning, construction, and operations of the PUD. The TDM leaders will work with residents and employees of the building to distribute materials and market various transportation alternatives and options;</li> <li>c. Provide TDM materials to new residents in the Residential Welcome Package;</li> <li>d. Provide a bicycle repair station in the bicycle storage room;</li> <li>e. Provide a bicycle cleaning facility in the bicycle storage room;</li> <li>f. Provide a cargo bicycle for residents of the building for purposes of running errands;</li> <li>g. Contribute up to \$80,000 to DDOT for the installation of a new Capital Bikeshare station located within the boundaries of ANC 6E and in a mutually acceptable location to the Applicant and DDOT; and</li> <li>h. For the first year following Certificate of Occupancy for the building, offer each unit’s incoming residents a one-year membership to Capital Bikeshare.</li> </ul>	<ul style="list-style-type: none"> <li>a. Installed bicycle parking facilities, including a minimum of 23 long term (secure, interior) spaces and additional short-term (exterior) spaces, as shown on Sheets ___ of the Plans;</li> <li>b. Identified TDM leaders for planning, construction, and operations of the PUD. The TDM leaders shall work with residents and employees of the building to distribute materials and market various transportation alternatives and options;</li> <li>c. Prepared TDM materials to distribute to new residents in the Residential Welcome Package;</li> <li>d. Installed a bicycle repair station in the bicycle storage room;</li> <li>e. Installed a bicycle cleaning facility in the bicycle storage room;</li> <li>f. Purchased a cargo bicycle for use by residents of the building; and</li> <li>g. Contributed \$80,000 to DDOT for the installation of a new Capital Bikeshare station, to be located within the boundaries of ANC 6E and in a mutually acceptable location to the Applicant and DDOT.</li> </ul> <p><b><u>Prior to issuance of a Certificate of Occupancy and for the first year of operation of the Project</u></b>, the Applicant shall offer each unit’s incoming residents a one-year membership to Capital Bikeshare.</p>
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Uses of Special Value to the Neighborhood and the District of Columbia as a Whole (11 DCMR § 2403.9(I)) – The Applicant will make the following contributions:

- a. Contribute \$35,000 to Bread for the City to support its feeding program and provide monthly grocery bags for seniors and low income families. Bread for the City provides vulnerable District residents with comprehensive services, including food, clothing, medical care, and legal and social services, in an atmosphere of dignity and respect. Bread for the City promotes the mutual collaboration of clients, volunteers, donors, staff, and other community partners to alleviate the suffering caused by poverty and to rectify the conditions that perpetuate it;
- b. Contribute \$15,000 to Emmaus Services for the Aging for 20 iPads to support the workforce development program for seniors age 55 and over. Emmaus Services is a social justice, not-for-profit organization that provides educational, nutritional, advocacy services and social programs to older adults (55+) in Washington, DC. Emmaus’ mission is to help seniors remain active, respected, independent and vital members of their community;
- c. Contribute \$15,000 to the Family Life Center Foundation (“FLCF”) to support its Champion for Children anti-human trafficking awareness program. FLCF is a not-for-profit public charity that benefits the underserved by strengthening and nurturing them regardless of age, race, socioeconomic status, culture or background. FLCF has a variety of diverse community outreach programs

**Prior to issuance of a Certificate of Occupancy**, the Applicant shall demonstrate to the Zoning Administrator that it has done the following:

- a. Contributed \$35,000 to Bread for the City to support its feeding program and provide monthly grocery bags for seniors and low income families, and provide proof to the Zoning Administrator that the feeding program services are being provided and the grocery bags have been purchased;
- b. Contribute \$15,000 to Emmaus Services for the Aging for 20 iPads to support the workforce development program for seniors age 55 and over, and provide proof to the Zoning Administrator that the iPads have been purchased;
- c. Contribute \$15,000 to FLCF to support its Champion for Children anti-human trafficking awareness program, and provide proof to the Zoning Administrator that the contribution is being used to further development and activities within the Champion for Children program;

<p>for persons living under the shadows of violence, substance abuse and other pathological conditions;</p> <p>d. Contribute \$15,000 to DC Artspace for materials, framing, staffing, and other costs for its after-school youth arts program, in association with the Touchstone Foundation. DC ArtSpace was created as an artistic extension of the New Community Church, serving the Shaw and surrounding neighborhoods with art programs, workshops, and seminars. ArtSpace provides an affordable avenue for artists of all ages and walks of life to express themselves, share skills, create economic opportunities, and find common ground through art while adding significant value to the renewal of the Shaw neighborhood;</p> <p>e. Contribute \$15,000 to Banneker City Little League (“BCLL”) for equipment for the T-ball league, including but not limited to bats, baseballs, helmets, gloves, pitching machines, pop-up nets, tees, batting cages. BCLL was founded to help children learn healthy competition, sportsmanship, work ethic, teamwork, and conditioning fundamentals and provide a progressive continuum of that education in a healthy, safe and encouraging culture. The T-ball league is for children ages four through six;</p> <p>f. Contribute \$15,000 to the Kennedy Recreation Center for uniforms for its youth basketball and football teams; and</p> <p>g. Contribute \$15,000 to Shaw Main Streets for training and employing ex-</p>	<p>d. Contribute \$15,000 to DC Artspace for materials, framing, staffing, and other costs for its after-school youth arts program, and provide proof to the Zoning Administrator that materials have been purchased and that the contribution is being provided to staff and generally improve the youth arts program;</p> <p>e. Contribute \$15,000 to BCLL for equipment for the T-ball league, including but not limited to bats, baseballs, helmets, gloves, pitching machines, pop-up nets, tees, batting cages, and provide proof to the Zoning Administrator that the equipment has been purchased;</p> <p>f. Contribute \$15,000 to the Kennedy Recreation Center for uniforms for its youth basketball and football teams, and provide proof to the Zoning Administrator that the uniforms have been purchased; and</p> <p>g. Contribute \$15,000 to Shaw Main Streets for training and employing ex-</p>
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<p>offenders to maintain public space along 7th and 9th Streets, NW as part of the Shaw Clean + Safe Team program. The Clean + Safe Team collects trash, abates graffiti, plants and waters treeboxes, and serves as ‘eyes and ears’ on the street seven days per week. Ex-offenders in the program receive comprehensive training and are paid a living wage.</p> <p>h. Expend up to \$315,000 to install the following public space improvements on O and 9<sup>th</sup> Streets, NW, subject to DDOT approval:</p> <ul style="list-style-type: none"> <li>i. New street trees, ground cover, and ornamental plantings;</li> <li>ii. Raised metal planters;</li> <li>iii. A low wall for seating with decorative stone coping and LED lighting;</li> <li>iv. Washington globe light fixtures;</li> <li>v. Bicycle racks;</li> <li>vi. Permeable paving and granite curbs;</li> <li>vii. Decorative stone unit pavers;</li> <li>viii. An ADA curb ramp with detectable warning pavers; and</li> <li>ix. A single pendant arm pole for traffic control.</li> </ul>	<p>offenders to maintain public space along 7th and 9th Streets, NW as part of the Shaw Clean + Safe Team program, and provide proof to the Zoning Administrator that the contribution is being provided to train and employ ex-offenders.</p> <p>h. Expended up to \$315,000 on the following public space improvements on O and 9<sup>th</sup> Streets, NW, subject to DDOT approval, and provide proof to the Zoning Administrator that the improvements have been installed and completed:</p> <ul style="list-style-type: none"> <li>i. New street trees, ground cover, and ornamental plantings;</li> <li>ii. Raised metal planters;</li> <li>iii. A low wall for seating with decorative stone coping and LED lighting;</li> <li>iv. Washington globe light fixtures;</li> <li>v. Bicycle racks;</li> <li>vi. Permeable paving and granite curbs;</li> <li>vii. Decorative stone unit pavers;</li> <li>viii. An ADA curb ramp with detectable warning pavers; and</li> <li>ix. A single pendant arm pole for traffic control</li> </ul>
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## Inclusionary Zoning Chart

	<b>GFA Required</b>	<b>Units</b>	<b>Income Type</b>	<b>Affordable Control Period</b>	<b>Affordable Unit Type</b>	<b>Required Set-aside percentage</b>	<b>Required AMI</b>
<b>Total Residential GFA within Main Building</b>	82,403 sf GFA (67,175 sf net) (100% of building)	62	Market rate + IZ	NA	NA	NA	NA
<b>Market Rate within Main Building</b>	75,811 sf GFA (61,801 sf net) (92% of building)	56	Market rate	NA	NA	NA	NA
<b>IZ within Main Building</b>	6,592 sf GFA (5,374 sf net) (8% of building)  <b>PLUS</b> 386 sf GFA from penthouse (8% of penthouse habitable space) (314 sf net)  <b>TOTAL IZ REQ'D =</b> <u>6,978</u> sf GFA in main bldg (5,688 net)  <b>TOTAL IZ PROVIDED:</b> <u>6,996</u> sf GFA (5,905 net)	5  1*	80% AMI  50% AMI	For the life of the Project	For-sale	8% of residential GFA	80% AMI
<b>Total Penthouse Habitable GFA</b>	4,822 sf habitable GFA (3,931 sf net habitable) (100% of penthouse habitable space will be market rate)	4	Market rate	NA	NA	8% of penthouse habitable space	50% AMI
<b>IZ within Penthouse</b>	0 sf Generates 386 sf of habitable GFA <i>to be located in main building</i> (314 sf net habitable) (8% of penthouse habitable space)	0 Generates 1 IZ unit located in Main Building	50% AMI	For the life of the Project	For-sale	0	NA
<b>Total</b>	87,225 sf GFA (71,106 net) <i>includes penthouse habitable space</i>	66	Market rate + IZ	All IZ units: for the life of the Project	For-sale	8% residential GFA in main building and penthouse	80% main building 50% penthouse

\*The one unit at 50% AMI (generated by the penthouse habitable space) will have 1,101 square feet of gross floor area, which is 715 square feet of gross floor area greater than the square footage required to be at 50% AMI.