

Exhibit B
Design Flexibility

- a. Interior Components: To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the plans approved by the order;
- b. Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the plans approved by the order;
- c. Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the order. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
- d. Number of Units: To provide a range in the approved number of residential dwelling units of plus or minus ten percent (10%);
- e. Parking Layout: To make modifications to the parking configuration, including layout and number of parking spaces and the size and number of garage levels constructed, including the removal of up to one whole or partial level of parking from the number of levels shown in the Plans and/or to convert such whole and/or partial level to mechanical, amenity, and/or other permitted uses, so long as the number of automobile and bicycle parking spaces is at least the minimum number of spaces required by the Zoning Regulations;
- f. Streetscape Design and Projections into Public Space: To vary the location, attributes, and general design of the approved streetscape and projections into public space to comply with the requirements of, and the approval by, the DDOT Public Space Review Division or the Public Space Committee;
- g. Signage: To vary the font, message, logo, and color of the approved signage, provided that the maximum overall dimensions and signage materials are consistent with the signage on the plans approved by the order and are compliant with the DC signage regulations;
- h. Sustainable Features: To vary the approved sustainable features of the project, provided the total number of LEED points achievable for the project does not decrease below the minimum required for the LEED standard specified by the order;
- i. Commercial Uses: To vary the uses of the spaces the ground floor and penthouse levels of the Project to be used for any use allowed in the MU-9 zone subject to condition (a);
- j. Roof structure: To install residential units or commercial uses, including without limitation eating and drinking establishment uses, within the penthouse level of the Project;
- k. 1346: To renovate the existing building at 1346 4th Street, NE to accommodate the PNC Bank branch on an interim basis during construction and thereafter to accommodate a different future tenant, provided such renovations shall comply with the [Final Plans];

1. Balconies: To locate balconies on the western façade of the Project that project over Lot 819, Square 3587 substantially as shown on the [Final Plans].

[End of Exhibit B]