

EXHIBIT A

MARTIN'S VIEW LLC PLANNED UNIT DEVELOPMENT DEVELOPMENT AND CONSTRUCTION MANAGEMENT PLAN ("PLAN")

Martin's View LLC (the "**Developer**") seeks to mitigate any adverse impact on the surrounding neighborhood resulting from construction activity related to the Developer's plans to construct four multi-family residential buildings with related site improvements (the "**Project**") at Parcels 252/0082, 252/0083, 252/0092, and 252/0086 (the "**Property**") pursuant to a planned unit development in Zoning Commission Case No. 23-39.

1. Communication

a. **Developer's Representative.** The Developer shall designate a representative to be the primary point of contact during the period of construction of the Project for interaction with the owners of property within 200 feet of the Property and Advisory Neighborhood Commission ("ANC") 8D.

The Developer's representative (the "**Representative**") shall have a local office and shall be accessible during all business hours. At any time construction activity is occurring on the Property, the Representative or his/her designee shall be available on-site or by telephone to receive communications from the surrounding community. The name and work telephone number of the Representative or his/her appointed designee shall be conspicuously posted on the Property and shall be readily available to members of the community. In addition, a name and telephone number of a person designated by the Developer to contact in case of emergency during hours in which no construction activity is occurring shall be readily available to members of the community.

b. **Duties of the Developer's Representative.** The Representative and his/her designee shall be available and able to answer questions and receive comments about the site activities, address any concerns members of the community might have throughout the construction process, and have authority to remedy promptly violations of this Plan and enforce its provisions. The Representative, designee and emergency contact shall:

- (i) Receive notice of violations of this Plan;
- (ii) Respond as soon as possible, to the person who has reported the violation, and to the Single Member District representative of ANC 8D07, or their designee; and
- (iii) Act to remedy the violation as soon as possible.

2. Neighboring Property Protection.

a. **Survey:** Within six months prior to commencement of the excavation work on the Property, Developer will seek consent from the owner of each property within 200 feet of the Property (each, a "**Nearby Property Owner**") to have such owner's property and all improvements thoroughly inspected by an independent professional engineer (the "**Survey**

Engineer"). The Survey Engineer will produce a report ("Survey") that will include photographic evidence of the condition of each surveyed property. The Survey is intended to provide each Nearby Property Owner a reference point from which to determine the effect, if any, that excavation and construction activity on the Property had on each owner's property. The Survey will be performed at the Developer's sole cost and expense. Each Survey shall be provided to the Developer and respective Nearby Property Owner. If the Nearby Property Owner does not permit the Developer to access their property, then Developer is not required to inspect or produce a Survey for that particular property.

b. **Inspection and Repair:** If, after construction of the Project is completed, a Nearby Property Owner believes damage to their property has occurred and was caused by Developer's contractors, agents, or employees during excavation and/or construction, then the Survey Engineer will compare the current condition of the property to the condition of the property in the Survey. The Developer agrees to repair, at its own expense and as promptly as reasonably possible, any damage to the property or improvements thereon of a Nearby Property Owner, which is shown to be proximately caused by the construction activity on the Property as determined by the Survey Engineer.

3. **Construction.** The Developer shall require that all of their employees, contractors, and subcontractors comply with all District of Columbia Municipal Regulations ("DCMR") applicable to hours of work, noise, dirt, trash, and public health and safety. The following is a discussion of construction-related issues and shall be binding on the Developer, its general contractor, and all subcontractors.

a. **Permits:** The Developer shall secure all permits that are required to complete the Project. All plans and permits for the Project shall be kept on the Property or as otherwise required under the DCMR.

b. **Site Management:**

- (i) The Developer shall erect and maintain construction fencing and barricades in order to screen and secure the Property during the construction process.
- (ii) The Developer and its contractors shall work with community members and the Department of Buildings ("DOB") to maintain temporary storm water management systems throughout the Project's construction until such time as the permanent facilities are constructed, approved, and functioning such that there shall be no adverse water impacts on the adjacent neighborhood.
- (iii) A minimum amount of lighting, directed away from residential properties, shall be provided on the Property at night. Such lighting shall be sufficient to provide necessary security and to comply with federal and municipal safety standards.

c. **Construction Traffic:**

- (i) Prior to the start of construction, the Developer shall provide ANC 8D, for review and comment, a draft Site Utilization Plan for construction staging and truck routing. The Developer shall work with ANC 8D to address and incorporate comments to the Site Utilization Plan, to the extent feasible, that mitigate community concerns. The Developer shall prioritize the use of Martin Luther King Jr. Avenue SW for all construction traffic in the Site Utilization Plan to minimize the impact to the surrounding residential communities. At each construction entrance, a flagman, as required, shall be positioned to direct the flow of construction traffic and to maintain the public's safety.
- (ii) Specific truck queuing and routing shall be determined in coordination with the District Department of Transportation ("DDOT") during the public space permit review process of the Developer's Traffic Control Plan, which shall incorporate the Site Utilization Plan provided to ANC 8D, to the extent allowed by DDOT.

d. **Construction Parking:** On-street parking of construction workers shall be prohibited. The Developer shall make off-street parking available to construction workers; otherwise, workers shall be required to park elsewhere pursuant to a list of parking lots provided to the Developer's general contractor by the Developer, or to use mass transit. The general contractor shall coordinate off-street parking with its subcontractors to prevent parking on nearby residential streets. The Developer shall include a statement in its contract with the general contractor that on-street parking by construction workers and subcontractors is prohibited.

e. **Cleanliness:** The Developer shall remove rubbish and construction debris continuously during the construction period during the normal construction workday. In addition, the Developer shall daily monitor the construction site and the area immediately surrounding the Property for trash and debris. All excavation or backfill trucks shall be covered before proceeding from the Property onto public streets. Dust and debris shall be removed from the Property on an as-needed basis. The Developer shall also provide monthly street sweeping of Martin Luther King Jr. Avenue SW throughout the duration of construction.

f. **Work Hours:** All work hours shall comply with the DCMR. No construction activity shall occur on Sundays without the necessary approval as required by the DCMR. In the event the general contractor seeks to obtain an after-hours work permit, the Developer shall notify ANC 8D of the duration of the work and provide a two (2) week advance notice when the work shall occur, except in emergencies.

g. **Contractors and Subcontractors:** The Developer shall require that all contractors and subcontractors be contractually required to follow the terms of, and comply with, the policies set forth in this Plan. The Developer also shall require that all contractors and subcontractors use only licensed construction vehicles and drivers, and that they comply with all DC traffic laws and regulations.

4. **Security**. The Developer's general contractor shall be responsible for providing adequate security for areas within the limits of construction. The Developer's general contractor shall notify the D.C. Metropolitan Police Department prior to the start of construction and provide a point of contact to ensure proper communication and security coverage. The Developer also shall provide afterhours security and/or security cameras as needed throughout the duration of construction.

5. **Pedestrian Circulation**. The Developer shall make a good faith effort to maintain pedestrian circulation around the perimeter of the Property throughout construction of the Project.

6. **Compliance with Codes**: In the event that there is a conflict between this Plan and the DCMR, the Developer shall be permitted to comply with the applicable regulation(s) without violating the terms of this Plan.