

ZONING COMMISSION CASE NO. 24-12
Harrison Wisconsin Owner, LLC
Consolidated PUD and Related Map Amendment
4201 Garrison Street, NW
(Square 1666, Lot 810 and a portion of Lot 809)

Applicant's Initial List of Proffered Public Benefits and Corresponding Conditions
(submitted in accordance with Subtitle X §§ 308.2 and 308.4)
July 21, 2025

Proffer	Condition
<p><u>Superior Urban Design and Architecture</u> <u>(Subtitle X § 305.5(a))</u></p> <p>The Applicant is proffering superior urban design and architecture as a public benefit. The Project is designed for strong compatibility with its surroundings and to serve as a refined transition from Wisconsin Avenue. Four distinct “buildings” are planned along 42nd Street NW, creating the impression of a moderately scaled, incremental residential development, which represents a proven approach in other transitional zones in the District. Each pavilion features its own architectural style and materials while maintaining an overall consistent character and rhythm.</p> <p>Features such as detailed bays, balconies, and private stoops emphasize the residential feel, while elements like pitched roofs, cornices, and varied bay projections add visual interest. These design choices help integrate the Project into the adjacent lower-density neighborhood. The Project’s high-quality urban design and architecture provide significant PUD benefits through thoughtful massing, human-scale details, traditional residential elements, and active streetscape engagement, all contributing to a context-sensitive and cohesive addition to the area.</p>	<p>Decision No. __: The PUD Site shall be developed and constructed substantially in accordance with the Architectural Plans prepared by Torti Gallas Urban, dated June 13, 2025, and marked as Ex. 23A1-23A5 of the record (the “Approved Plans”), as modified by the guidelines, conditions, and standards herein.</p>

<p><u>Site Planning and Efficient and Economical Land Utilization (Subtitle X § 305.5(c))</u></p> <p>The Applicant is proffering site planning and efficient and economical land utilization as a public benefit of the PUD. The Project will transform a significantly underutilized, transit-accessible site into a vibrant mixed-income residential community, bringing new market-rate and affordable housing to an area that currently lacks residential presence and sustained economic activity.</p> <p>The PUD Site’s boundary configuration allows the development to be distributed in a way that gives the appearance of four separate buildings, even though no density comes from the MU-4-zoned portion of the site. This design produces an “apparent” or average FAR of about 3.06 when calculated across the entire PUD Site, well below the 4.32 FAR permitted under the proposed RA-3 zoning. Spreading the building mass across the site helps the Project match the scale and rhythm of the surrounding neighborhood and avoids creating a single, large multifamily structure that might be out of character with nearby residential uses. These strategies demonstrate efficient site planning and a thoughtful, context-sensitive approach to land use.</p>	<p>Decision No. __: The PUD Site shall be developed and constructed substantially in accordance with the Architectural Plans prepared by Torti Gallas Urban, dated June 13, 2025, and marked as Ex. 23A1-23A5 of the record (the “Approved Plans”), as modified by the guidelines, conditions, and standards herein.</p> <p>Decision No. __: As set forth in the Approved Plans, the PUD shall have a maximum height of 50 feet, 3 inches and approximately 123,444 square feet of gross floor area devoted to residential use (approximately 4.308 FAR).</p>
<p><u>Housing (Subtitle X § 305.5(f)(1) and (3))</u></p> <p>The Applicant is proffering new housing as a public benefit of the PUD. Subtitle X § 305.5(f)(1) identifies housing that exceeds the amount permitted as a matter of right under existing zoning as a public benefit. The Project will deliver approximately 123,444 square feet of residential gross floor area, creating 126 new units in a high-opportunity, transit-accessible location.</p> <p>The residential mix will include studios (i.e., junior one-bedroom units), as well as one-, two-, and three-bedroom layouts, offering options for a range of household sizes and living needs. Among these units, nine will be three-bedroom residences, thoughtfully</p>	<p>Decision No. __: <u>For the life of the Project</u>, the Applicant shall dedicate approximately 123,444 square feet of gross floor area to residential use, resulting in approximately 126 residential units.</p> <p>Decision No. __: <u>For the life of the Project</u>, the Applicant shall provide nine (9) three-bedroom units.</p>

<p>distributed across the first, second, and third floors of the Project. The inclusion of three-bedroom units, incorporated at the ANC's request, is separately recognized as a PUD benefit under Subtitle X § 305.5(f)(3).</p> <p>Overall, the proposed residential density significantly exceeds what is allowed under the existing R-2 zoning, which would permit only about 12 semi-detached or 8 detached homes, per Subtitle F § 202.1. Collectively, these features ensure that the Project's housing component offers a substantial and meaningful public benefit within the PUD.</p>	
<p><u>Affordable Housing (Subtitle X § 305.5(g))</u></p> <p>The Applicant is proffering significant affordable housing as a benefit of the PUD, dedicating approximately 33% of the overall number of residential units as affordable housing, which amounts to approximately 42 units. As explained below, the Project's affordable housing commitment is comprised of Inclusionary Zoning ("IZ") units and those provided through the District's High-Needs Area Tax Abatement ("HANTA") program.</p> <p><i>Inclusionary Zoning (IZ) Units</i></p> <p>A portion of the affordable units will fulfill the District's IZ requirements for rental housing. Specifically, 75% of the bonus density utilized will be set aside for households earning no more than 60% of the Median Family Income (MFI), and at least 10% of the Project's penthouse habitable space will be reserved for households earning no more than 50% of MFI, as required by Subtitle C §§ 1003.1, 1003.7(a), and 1003.8. The IZ component, which is part of the overall 33% affordable housing commitment, will comprise approximately 13,990 square feet of gross floor area (GFA), or 11.2% of the Project's total GFA. This translates to approximately 13 IZ units, substantially exceeding the requirements under matter-of-right development, which would permit at most 1 IZ unit in the existing R-2 zone or 12 units in the proposed RA-3 zone.</p>	<p>Decision No. __: The Applicant shall provide the affordable housing for the Project in accordance with this condition.</p> <p>a. <u>For the life of the Project</u>, the Applicant shall provide the IZ Units in substantial accordance with Sheet G13 of the Approved Plans and as set forth below:</p> <ul style="list-style-type: none"> • At least 9,277 square feet of net residential floor area shall be devoted to IZ units reserved for households earning no more than 60% of the Median Family Income (MFI); • At least 1,096 square feet of net residential floor area shall be devoted to IZ units reserved for households earning no more than 50% of MFI; and • In total, at least 10,373 square feet of net residential floor area shall be devoted to IZ units. <p>b. <u>For the life of the Project</u>, the Applicant shall allocate two (2) three-bedroom units to IZ, with one unit reserved for households earning no more than 50% of MFI and one unit reserved for households earning no more than 60% of MFI.</p>

IZ Units at the 50% MFI Level

In response to community input, one of the units reserved at the 50% MFI level will be a three-bedroom unit. Furthermore, although only 1,096 square feet of IZ set-aside is required pursuant to Subtitle C § 1003.1(b) based on the Project's habitable penthouse space, the Project will provide three units totaling 2,314 square feet, all at the 50% MFI level. This is more than twice the minimum required and reflects the Project's commitment to deeper and more inclusive affordability.

High-Needs Area Tax Abatement (HANTA) Program Units

The balance of the units needed to meet the proffered 33% affordability threshold will be delivered as non-IZ affordable dwelling units through the HANTA program, which promotes affordable housing in high-needs areas of the District. While the HANTA program allows affordability levels of up to 100% of MFI for a 40-year control period, the Applicant, through agreement with the Department of Housing and Community Development (DHCD), committed to deeper affordability levels. Specifically, the Project's HANTA-designated units will be reserved for households earning no more than 80% of MFI for 30 years, or longer, as may be required by DHCD via separate agreement. DHCD approved the Applicant's participation in the HANTA program in November 2024. By leveraging this program, the Applicant is able to deliver more impactful affordability and contribute to creating an inclusive, mixed-income community in a desirable location.

In conclusion, the Applicant's affordable housing proffer constitutes a significant public benefit and advances numerous Comprehensive Plan policies aimed at promoting accessible, affordable housing for residents of all income levels.

- c. The covenant required by D.C. Official Code §§ 6-1041.05(a)(2) shall include a provision or provisions requiring compliance with this condition.
- d. **For the control period administered by the Department of Housing and Community Development (DHCD)**, the Applicant shall provide affordable housing in the Project equal to at least thirty-three percent (33%) of all residential units, which will include the units reserved as the IZ units. The affordable units in excess of the IZ units shall be reserved for households earning no more than 80% of the MFI and shall be provided in accordance with the High-Needs Area Tax Abatement (HANTA) program, as negotiated with and approved by the Department of Housing and Community Development (DHCD).

<p><u>Environmental and Sustainable Benefits (Subtitle X § 305.5(k))</u></p> <p>The Applicant is proffering environmental and sustainable public benefits as part of the PUD. Pursuant to Subtitle X § 305.5(k)(5), the Applicant committed to incorporating sustainable features that will benefit residents, the immediate community, and the District as a whole. Specifically, the Project will feature an energy-efficient, all-electric design for the residential units, and it will incorporate green roofs, rooftop solar panels, at least six (6) electric vehicle (EV)-ready charging spaces in the underground parking garage, and dedicated areas for composting and recycling.</p> <p>In response to the Zoning Commission's request, the Applicant committed to design the Project to meet the minimum number of points required for LEED Gold Certification under the LEED v4 BD+C: Multifamily Midrise.</p>	<p>Decision No. __: The Applicant shall provide the environmental and sustainable benefits for the Project in accordance with this condition:</p> <ol style="list-style-type: none"> <u>The Applicant shall submit with its building permit application for the Project</u> a checklist evidencing that the Project has been designed to achieve the equivalent of LEED Gold under the LEED v4 BD+C: Multifamily Midrise. <u>Prior to issuance of the final certificate of occupancy for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has incorporated the following into design of the Project: <ul style="list-style-type: none"> • Green roofs; • Rooftop solar panels; • At least six (6) EV-ready charging spaces • All electric appliances in residential units; and • Dedicated areas for composting and recycling.
<p><u>Streetscape Plans (Subtitle X § 305.5(l))</u></p> <p>The Applicant is proffering a range of streetscape improvements as a public benefit of the PUD. Subject to DDOT approval, the Applicant will provide new plantings along the PUD Site's public frontages and include sidewalk paving and perimeter landscaping, per Sheets L1-L5 of the Approved Plans. These improvements will help accentuate the residential character of the Project and its compatibility with the lower-density residential context surrounding the PUD Site. The Applicant has also committed to enlarging the existing tree pits along public space frontages of the Project, where necessary and subject to DDOT approval, and to installing new street trees in coordination with DDOT/UFD. The Applicant has committed to plant trees, following completion of construction, in any gaps in the tree boxes per DDOT's Urban Forestry Division's</p>	<p>Decision No. __: <u>Prior to issuance of the final certificate of occupancy for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has:</p> <ol style="list-style-type: none"> Installed new plantings, sidewalk paving, and perimeter landscaping along the PUD Site's public frontages in substantial conformance with the Approved Plans, subject to review and approval by DDOT; Enlarged existing tree pits, as needed, along the PUD Site's public space frontages and installed new street trees where required, subject to review and approval by DDOT and the Urban Forestry Division (UFD); and Planted new street trees to fill any gaps in the tree boxes along the public

<p>specifications within Square 1666 as well as across the street from Square 1666 on all four sides, subject to approval of the abutting property owners and DDOT.</p>	<p>frontages of Square 1666, as well as along the opposite sides of the streets bordering Square 1666, in accordance with DDOT and Urban Forestry Division specifications and subject to review and approval by DDOT, the Urban Forestry Division, and, where applicable, the abutting property owners.</p>
<p><u>Park Maintenance (Subtitle X § 305.5(o))</u> The Applicant is proffering its funds, time, and effort to enhance Fessenden Park, a DPR-managed park located one block south of the PUD Site and generally bounded by Wisconsin Avenue, 42nd Street, and Fessenden Street, as a public benefit of the PUD. Under Subtitle X § 305.5(n), park improvements qualify as a public benefit.</p> <p>In response to community feedback and in coordination with DPR and the affected Advisory Neighborhood Commission (ANC), currently ANC 3E, the Applicant has committed to spend at least \$10,000, and up to \$20,000, on enhancements to Fessenden Park. Planned improvements include the design and construction of two bocce courts, the installation of one park bench, and associated landscaping, all subject to approval by DPR and DDOT. The Applicant will complete these improvements prior to the issuance of the final certificate of occupancy for the PUD. The Applicant will also consult with ANC 3E on the landscaping plans, present the proposed improvements upon request, and maintain the landscaping for three years after installation. These enhancements will improve the park's functionality and appearance for the benefit of the surrounding community.</p>	<p>Decision No. __: <u>Prior to issuance of the final certificate of occupancy for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has completed the following actions related to the construction of two bocce courts, the installation of one park bench, and the design and installation of associated landscaping at Fessenden Park (collectively, the “Fessenden Park Improvements”):</p> <ul style="list-style-type: none"> a. Expended between \$10,000 and \$20,000 for the completion of the Fessenden Park Improvements; and b. Consulted with the affected Advisory Neighborhood Commission on at least one occasion regarding the Fessenden Park Improvements. <p>Decision No. __: <u>For a period of three (3) years following the issuance of the final certificate of occupancy for the Project</u>, the Applicant shall maintain the new landscaping installed as part of the Fessenden Park Improvements.</p>
<p><u>Transportation Infrastructure Beyond That Needed to Mitigate Any Potential Adverse Impacts Subtitle X § 305.5(o)</u> Subtitle X § 305.5(o) identifies transportation infrastructure that is not strictly necessary to mitigate potential adverse impacts as a public benefit. As summarized in the Applicant's</p>	<p>Decision No. __: The Applicant has agreed to ensure that bulb-outs, with bioretention features if feasible, (the “Bulb-Outs”) are constructed at the intersection of Garrison Street, N.W. and 42nd Street, N.W. (the “Intersection”) in accordance with this condition:</p>

Transportation Statement ([Exhibit 23B](#)) and outlined in the “Other Conditions” table further below, the Applicant will implement an enhanced TDM plan to address potential impacts associated with the proposed parking supply and projected trip generation. However, the Applicant proposes transportation improvements that exceed standard mitigation requirements.

Specifically, the Applicant will use best efforts, in coordination with DDOT, to improve pedestrian safety at the intersection of Garrison Street, N.W. and 42nd Street, N.W. by narrowing the intersection to shorten pedestrian crossings, slow vehicular traffic, and prevent parking in the crosswalks. To that end, the Applicant proposes to work with DDOT on the design and to advocate for the implementation of DDOT-funded bulb-outs incorporating bioretention features, where feasible, at all four corners of the intersection, to be installed prior to the issuance of the final certificate of occupancy for the Project.

If DDOT has committed funds but has not yet constructed the bulb-outs by the time the final certificate of occupancy is issued, the Applicant proposes to coordinate with DDOT to install temporary bulb-outs (i.e., daylighting) at all four corners at the Intersection, using flex posts and pavement markings, and to maintain them until permanent construction occurs. If funding for permanent construction has not been approved before that time, the Applicant proposes to expend up to \$20,000 to install permanent hardened bulb-outs on the northwest and southwest corners of the intersection, subject to review and approval by DDOT and ANC 3E.

In the event that permanent bulb-outs are constructed at all four corners prior to the issuance of the final certificate of occupancy, the Applicant proposes, in lieu of installing bulb-outs, to either donate \$20,000 to a local

- a. **Prior to the issuance of the final certificate of occupancy for the Project**, if DDOT has committed to funding the Bulb-Outs but has not yet constructed the permanent Bulb-Outs at the Intersection, the Applicant shall install daylighting at all four corners of the Intersection, using flex posts and pavement markings, subject to DDOT review and approval, and shall maintain them until permanent construction occurs.
- b. **Prior to the issuance of the final certificate of occupancy for the Project**, if DDOT has not committed to fund the Bulb-Outs, the Applicant shall expend up to \$20,000 to install permanent Bulb-Outs at the northwest and southwest corners of the Intersection, or daylighting at all four corners of the Intersection using a combination of flex post delineators and pavement markings, subject to review and approval by DDOT, and a letter of support from the affected ANC.
- c. If DDOT funds and constructs permanent Bulb-Outs at all four corners of the Intersection **prior to the issuance of the final certificate of occupancy for the Project**, then, at that time, the Applicant shall, with the consent of the affected ANC and subject to the review and approval of DDOT, either provide and install additional transportation improvements at a cost not to exceed \$20,000, or demonstrate to the Zoning Administrator that it has contributed \$20,000 to a local nonprofit organization for specific additional improvements in the public right of way, and that the specific

<p>nonprofit organization, with the consent of the affected ANC, for specific additional improvements in the public right of way or to provide specific additional improvements in the public right-of-way, which may include “daylighting” at the intersection of Harrison Street, N.W. and 42nd Street, N.W. as identified in DDOT’s recommendation (see Ex. 36 at p. 2), subject to the review and consent of the affected ANC and the review and approval of DDOT.</p> <p>Following installation of any bulb-outs, whether temporary or permanent, the Applicant proposes to keep the bulb-outs free of trash and to maintain any landscaping in accordance with DDOT standards for the life of the Project.</p>	<p>improvements have been or will be provided.</p> <p>d. <u>For the life of the Project</u>, the Applicant shall keep the Bulb-Outs free of trash and maintain any landscaping in accordance with DDOT standards.</p>
<p><u>Uses of Special Value to the Neighborhood or the District of Columbia as a Whole (Subtitle X § 305.5(q))</u></p> <p>The public benefits associated with the Project extend beyond those delivered at full build-out. A notable early benefit is the removal of the existing 705-foot television tower on the property. The uses associated with the tower have been relocated to Maryland, and the tower now stands as a visually intrusive structure that is out of scale with the surrounding neighborhood and detracts from the area’s character. Its removal will significantly enhance the local streetscape and directly respond to concerns raised by nearby residents.</p>	<p>Decision No. __: <u>Prior to the issuance of the final certificate of occupancy for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that the 705-foot television tower has been removed from the PUD Site.</p>
<p><u>Other Public Benefits and Project Amenities that Substantially Advance the Comprehensive Plan (Subtitle X § 305.5(r))</u></p> <p>Pursuant to Subtitle X § 305.5(r), public benefits may include “other ways in which the proposed PUD substantially advances the major themes and other policies and objectives of any of the elements of the Comprehensive Plan.” The Project substantially advances several of the Comprehensive Plan’s major themes, including expanding housing supply, increasing housing affordability, and</p>	<p>Decision No. __: The PUD Site shall be developed and constructed substantially in accordance with the Architectural Plans prepared by Torti Gallas Urban, dated June 13, 2025, and marked as Ex. 23A1-23A5 of the record (the “Approved Plans”), as modified by the guidelines, conditions, and standards herein.</p>

<p>encouraging growth in high-opportunity, transit-accessible locations, consistent with the Framework Element’s direction to focus new development around transit nodes and equity-driven growth. See, e.g., 10-A DCMR §§ 213.7, 219.7.</p> <p>The Rock Creek West (RCW) Area Element of the Comprehensive Plan identifies a substantial unmet need for affordable housing, making increased supply in RCW a key policy priority. See 10-A DCMR § 2300.9. The Project directly advances this goal by delivering new affordable housing in an area historically limited by high land costs, with 33% of its units reserved as affordable to promote equity and inclusion. Beyond housing, the Project supports urban design and land use objectives in the Comprehensive Plan and the Wisconsin Avenue Development Framework by enabling compatible infill, appropriate scale transitions, walkable blocks, and activation of underused sites along Wisconsin Avenue, N.W. Collectively, these elements represent a significant public benefit under Subtitle X § 305.5(r).</p>	
---	--

<p>PUD Design Flexibility¹</p>
<p>Decision No. __: The Applicant shall have PUD design flexibility from the Approved Plans as follows:</p> <ul style="list-style-type: none"> a. <u>Interior Components</u>: 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;

¹ The requested PUD design flexibility is consistent with the standard language set forth in Subtitle Z § 702.8, as previously requested by the Applicant. See Statement in Support, Ex. 3 at p. 7. As noted in the Applicant’s Post-Hearing Submission, the proposed flexibility for the sustainably features has been changed to reflect the standard language in response to Office of Planning’s comment.

- 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%), except that (1) the total square footage of the residential dwelling units shall not be reduced, and (2) the number of units and the square footage reserved for affordable housing shall not be reduced;
- e. Parking Layout: To make refinements to the approved parking configuration, including layout and number of parking space plus or minus ten percent (10%), so long as the number of parking spaces is at least the minimum number of spaces required by the Zoning Regulations;
- f. Streetscape Design: To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division;
- 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; and
- 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.

Other Conditions
(proposed for inclusion in final order)

Building-Specific Commitments

These conditions are proposed to memorialize specific building design commitments made by the Applicant to ANC 3E, as detailed on page 2 of the fully executed Memorandum of Understanding (“MOU”), marked as Exhibit in the case record. These conditions are in addition to the conditions associated with the

Decision No. __: **For the life of the Project**, the Applicant shall retain a company to service the compost and recycling bins located in the Project’s designated spaces.

Decision No. __: **For the life of the Project**, the Applicant shall provide at least 42 long-term bicycle parking spaces for residents in a bicycle room located on the ground floor,

<p>Applicant's public benefits and amenities package.</p>	<p>which shall include accommodations for cargo bikes, bicycle charging, strollers, utility carts, and a bicycle repair station.</p> <p>Decision No. __: <u>Prior to issuance of the final certificate of occupancy for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has constructed two residential units in compliance with the American National Standards Institute (ANSI) "A" standard.</p>
<p>Transportation Demand Management Plan</p> <p>These conditions are set forth in Attachment C to the Applicant's Transportation Statement (see Ex. 23B) and are proposed herein consistent with DDOT's recommendation and requested modifications (see Ex. 36 at p. 2).</p>	<p>Decision No. __: <u>During the operation of the Project (unless otherwise noted)</u>, the Applicant shall provide the following transportation demand management ("TDM") measures for the Project:</p> <ol style="list-style-type: none"> a. The Applicant will unbundle the cost of vehicle parking from the lease or purchase agreement for each residential unit and charge a minimum rate based on the average market rate within a quarter mile. b. Applicant will identify a Transportation Coordinator once the building has opened. The Transportation Coordinator will act as a point of contact with DDOT, goDCgo, and Zoning Enforcement and will provide their contact information to goDCgo. c. The Transportation Coordinator will conduct an annual commuter survey of building employees and residents on-site, and report TDM activities and data collection efforts to goDCgo once per year. d. The Transportation Coordinator will develop, distribute, and market various transportation alternatives and options to the residents, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car

	<p>Free Day) on resident portal and in any internal building newsletters or communications.</p> <ul style="list-style-type: none"> e. The Transportation Coordinator will subscribe to goDCgo's residential newsletter and receive TDM training from goDCgo to learn about the transportation conditions for this project and available options for implementing the TDM Plan. f. The Transportation Coordinator will provide welcome packets to all new residents that should, at a minimum, include the Metrorail pocket guide, brochures of local bus lines (Circulator and Metrobus), carpool and vanpool information, CaBi coupon or rack card, Guaranteed Ride Home (GRH) brochure, and the most recent DC Bike Map. Brochures can be ordered from DDOT's goDCgo program by emailing info@godcgo.com. g. The Transportation Coordinator will provide residents who wish to carpool with detailed carpooling information and will be referred to other carpool matching services sponsored by the Metropolitan Washington Council of Governments (MWCOG) or other comparable service if MWCOG does not offer this in the future. h. All transportation and TDM commitments will be posted on the building website, if such a website exists, to allow the public to see what has been promised. i. A SmarTrip card will be offered for every residential unit at the time of initial leasing of the building.
--	--

	<p>j. A minimum of 42 long-term and six short-term bicycle parking spaces will be provided for the project, in accordance with ZR16.</p> <p>k. Long-term bicycle storage rooms will accommodate non-traditional sized bikes including cargo, tandem, and kids' bikes. At least two of the long-term spaces will be designed for longer cargo/tandem bikes (10 feet by three feet), a minimum of one of the long-term spaces will be equipped with electrical outlets to charge electric bikes and scooters, and a minimum of five of the spaces will be placed horizontally on the floor. There will be no fee to the residents or employees for usage of the bicycle storage room and strollers will be permitted to be stored in the bicycle storage room.</p> <p>l. A bicycle repair station will be provided in the long-term bicycle parking storage room.</p> <p>m. The Applicant will install a minimum of six electric vehicle (EV) charging stations.</p> <p>n. <u>Following the issuance of a Certificate of Occupancy for the Project,</u> the Transportation Coordinator will submit documentation summarizing compliance with the transportation and TDM conditions of the Order (including, if made available, any written confirmation from the Office of the Zoning Administrator) to the Office of Zoning for inclusion in the IZIS case record of the case.</p> <p>o. <u>Five years after the issuance of the final Certificate of Occupancy for the Project,</u> if the Transportation</p>
--	---

	<p>Coordinator has not established a relationship with DDOT or goDCgo, the Transportation Coordinator will submit a letter to the Zoning Administrator, DDOT, and goDCgo summarizing continued substantial compliance with the transportation and TDM measures conditioned in this order, unless no longer applicable as confirmed by DDOT. If such letter is not submitted on a timely basis, the building shall have sixty (60) days from date of notice from the Zoning Administrator, DDOT, or goDCgo to prepare and submit such letter.</p> <ul style="list-style-type: none"> p. The Applicant will install a Transportation Information Center Display (electronic screen) within the lobby containing information related to local transportation alternatives. At a minimum the display should include information about nearby Metrorail stations and schedules, Metrobus stops and schedules, car-sharing locations, and nearby Capital Bikeshare locations indicating the availability of bicycles. q. The Applicant will only lease the parking spaces in the building to tenants of the building or to tenants of a building that has no on-site parking. r. Subject to DDOT approval, the Applicant will install either (i) one micro-mobility corral with appropriate racks on the north side of Garrison Street adjacent to the curb, west of 42nd Street or (ii) three additional inverted U bicycle racks beyond the three (3) required under the Zoning Regulations, for a total of six (6), in public space on Garrison Street. s. Annual CaBi memberships will be offered to each building resident for the
--	--

	<p>first three years after the building opens.</p> <p>t. The Transportation Coordinator will provide at least two vanpool parking spaces by resident request and will note this in resident handbook and resident portal.</p> <p>u. The Applicant will provide one collapsible shopping cart (utility cart) for every 50 residential units, for a total of two to encourage residents to walk to the grocery store and run errands.</p> <p>Decision No. __: <u>For a period of three (3) years following the issuance of the final certificate of occupancy for the Project,</u> the Applicant shall provide the affected ANC with the results of any annual parking demand and trip generation surveys, if any, conducted in accordance with the requirements of DDOT and/or the approved Transportation Demand Management (TDM) Plan.</p>
<p>Off-Site Traffic-Related Improvements and Commitments²</p> <p>This condition responds to DDOT’s requested condition for the implementation of infrastructure in public space as set forth in its recommendation (see Ex. 36 at p. 2). The other recommended infrastructure in public space is identified as a condition related to “Transportation Infrastructure Beyond That Needed to Mitigate Any Potential Adverse Impacts Subtitle X § 305.5(o).”</p>	<p>Decision No. __: <u>Prior to the issuance of the final certificate of occupancy for the Project,</u> and subject to review and approval by DDOT and consent from the affected ANC, the Applicant shall construct, or cause to be constructed, a speed hump on 42nd Street, N.W., between Garrison Street, N.W. and Harrison Street, N.W.</p>
<p>On-Site Traffic-Related Improvements and Commitments</p> <p>The Applicant committed to ANC 3E to make certain on-site traffic related improvements.</p>	<p>Decision No. __: The PUD Site shall be developed and constructed substantially in accordance with the Architectural Plans prepared by Torti Gallas Urban, dated June 13, 2025, and marked as Ex. 23A1-23A5 of the</p>

² These conditions are proposed pursuant to DDOT’s recommendation (see Ex. 36 at p. 2) and are intended to memorialize transportation-related commitments made by the Applicant to the ANC that are not being proffered as public benefits. See MOU at pp. 2-3.

<p>See MOU at pp.2-3. These include the following: (1) providing and installing a pedestrian refuge island between the driveway serving the Project and the driveway to the garage serving the adjacent office building at 5101 Wisconsin Avenue, N.W.; and (2) providing vehicular ingress and egress from the underground parking garage, as well as resident move-ins and move-outs, loading activities, and trash collection, shall occur off-street via the private driveway abutting the PUD Site to the west. These commitments are shown on the Approved Plans.</p> <p>In addition, the Applicant committed to installing differentiated paving crosswalks (i.e., continuous sidewalk paving material) across the Project's vehicular access points on Garrison Street, N.W. and Harrison Street, N.W. While this commitment was added to the plans as presented at the Zoning Commission hearing, the submitted plans identified as the Approved Plans in these conditions do not depict such continuous paving. As such, an additional condition is proposed to ensure compliance with the commitment.</p>	<p>record (the "Approved Plans"), as modified by the guidelines, conditions, and standards herein.</p> <p>Decision No. __: <u>Prior to the issuance of the final certificate of occupancy for the Project,</u> and subject to DDOT review and approval, the Applicant shall continue the sidewalk paving across the Project's vehicular access points abutting the PUD Site on Garrison Street, N.W. and Harrison Street, N.W.</p>
<p>Neighborhood-Related Commitments</p> <p>These conditions are intended to memorialize neighborhood-related commitments made by the Applicant to the ANC that are not being proffered as public benefits. See MOU at pp. 3-4.</p>	<p>Decision No. __: <u>Prior to the issuance of a final Certificate of Occupancy for the Project,</u> the Applicant shall remove the disused utility pole adjacent to the PUD Site on Garrison Street, N.W., subject to review and approval by DDOT and the appropriate utility authority, and shall plant at least one street tree in approximately the same location in accordance with the specifications of DDOT's Urban Forestry Division.</p> <p>Decision No. __: <u>For the life of the Project,</u> the Applicant shall prohibit use of the outdoor terrace adjacent to the habitable penthouse space (club room) after 10:00 p.m.</p>
<p>Construction Management</p>	<p>Decision No. __: <u>Prior to issuance of the first building permit for the Project,</u> the Applicant will demonstrate to the Zoning</p>

<p>These conditions are intended to memorialize construction management commitments made by the Applicant to the ANC that are not being proffered as public benefits. See MOU at p. 4.</p>	<p>Administrator that it has offered, at its sole cost, photographic or video pre-construction surveys to residential property owners whose properties confront the PUD Site in order to document pre-construction condition of homes.</p> <p>Decision No. __: <u>Prior to issuance of the first building permit for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has consulted with the affected ANC on issues related to parking arrangements for construction workers and construction truck routing.</p> <p>Decision No. __: <u>Prior to issuance of the first building permit for the Project</u>, the Applicant shall demonstrate to the Zoning Administrator that it has included the following provision in its construction contract with the general contractor: “Contractor acknowledges that the job site is surrounded by a residential neighborhood, and that on-street parking by its and its subcontractors’ workforces would impose an impact on local residents. Contractor agrees to prohibit its workforces and the workforces of all subcontractors from parking or idling cars or trucks at any time of the day for any period of time on local residential streets, even if permitted by local parking regulations.”</p> <p>Decision No. __: <u>During Construction of the Project</u>, the Applicant shall designate a representative as its main point of contact for all construction-related matters, and will provide the contract information for its designated representative to the affected ANC.</p>
<p>Validity and Miscellaneous</p>	<p>Decision No. __: No building permit shall be issued for the Project until the Applicant has recorded a covenant in the land records of the District of Columbia, between the Applicant and the District of Columbia that is satisfactory to the Office of Zoning Legal Division and the Zoning Division, Department of Buildings (the “PUD Covenant”). The PUD Covenant shall</p>

	<p>bind the Applicant and all successors in title to construct and use the Property in accordance with this Order, or amendment thereof by the Commission. The Applicant shall file a certified copy of the covenant with the records of the Office of Zoning.</p> <p>Decision No. __: The Applicant shall file with the Zoning Administrator a letter identifying how it is in compliance with the conditions of this Order at such time as the Zoning Administrator requests and shall simultaneously file that letter with the Office of Zoning.</p> <p>Decision No. __: The PUD shall be valid for a period of two years from the effective date of this Order. Within such time an application shall be filed for a building permit, with construction to commence within three years of the effective date of this Order.</p> <p>Decision No. __: The Applicant is required to comply fully with the provisions of the Human Rights Act of 1977, D.C. Law 2-38, as amended, and this Order is conditioned upon full compliance with those provisions. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (“Act”) the District of Columbia does not discriminate on the basis of actual or perceived: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. In addition, harassment based on any of the above protected categories is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.</p>
--	---