

**EXHIBIT B**  
**APPLICANT’S PROPOSED CONDITIONS OF APPROVAL**

**Project Development**

1. The Project shall be built in accordance with the plans and elevations dated June 26, 2026 (Ex. \_\_\_\_\_) (collectively, the “**Final Plans**”), with zoning flexibility from the height setback, penthouse guardrail setback, front build-to, and court requirements, and subject to the following areas of flexibility:
  - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, mechanical rooms, and toilet rooms, provided that the variations do not change the exterior configuration or appearance of the structure;
  - b. To vary the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the Final Plans;
  - c. To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Final Plans. Examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights;
  - d. To make refinements to the approved parking configuration, including layout, mix of standard, compact, and tandem spaces, and number of parking spaces plus or minus 5%;
  - e. To vary the location, attributes, and general design of the approved streetscape and building projections into public space to comply with the requirements of, and the approval by, DDOT public space officials;
  - f. To vary the amount, location/orientation and type of green roof, and paver areas to meet stormwater requirements and sustainability goals or otherwise satisfy permitting requirements, so long as the Project achieves a minimum GAR of 0.2;
  - g. To vary the final design and layout of the mechanical penthouse to accommodate changes to comply with Construction Codes or address the structural, mechanical, or operational needs of the building uses or systems, so long as such changes do not substantially alter the exterior dimensions shown on the Final Plans and remain compliant with all applicable penthouse setback requirements except as approved by the Commission;
  - h. To vary the final design and layout of the outdoor amenity spaces to reflect their final design and programming, including the number, size, design, and location of shade structures and other outdoor furnishings, fixtures, and equipment, and including the location and number of terrace and penthouse access doors to meet tenant needs and code requirements;

**EXHIBIT B**  
**APPLICANT'S PROPOSED CONDITIONS OF APPROVAL**

- i. To vary the location of the long-term bicycle parking spaces and related facilities within the Project, so long as the spaces are located on either the ground floor or the first parking level of the Project;
  - j. To vary the final design of the ground floor frontage as shown on pages A5.01 – A5.03 of the Final Plans, including the number, size, design, and location of windows and entrances, signage, awnings, canopies, and similar storefront design features, to accommodate the demising of the space and needs of the specific tenants within the parameters set forth in the Final Plans;
  - k. To vary other building tenant and identification signage as shown on pages A5.04 – A5.06 of the Final Plans consistent within the parameters set forth in the Final Plans, including the flexibility to vary the location of the "top of building" signage identifying the Project's primary office tenants so long as such signage is limited to no more than one such "top of building" sign.
2. **Retail Space.** The Project shall reserve the areas marked as "Retail" on page A2.01 of the Final Plans for uses in the following categories: animal care; arts, design, and creation; daytime care; eating and drinking establishments; entertainment, assembly, and performing arts; medical care; production, distribution, and repair; retail; and general or financial service use.
3. **LEED.** The Project shall achieve certification from the U.S. Green Building Council at the level of LEED Gold v4, provided that the Applicant shall have the flexibility to vary the approved sustainable features of the Project as long as the total number of LEED points achievable for the Project does not decrease below the minimum required for the foregoing LEED standard. To demonstrate compliance with this condition, the Applicant shall (a) **prior to the issuance of a building permit,** submit evidence of registration with the U.S. Green Building Council as well as a copy of the current LEED scorecard; and (b) **prior to the issuance of a certificate of occupancy,** submit an updated scorecard to demonstrate the Project is on track to secure such certification.

**Transportation Demand Management Measures**

4. **Following the issuance of a certificate of occupancy for the Project,** the Project's Transportation Coordinator shall submit documentation summarizing compliance with the transportation and TDM conditions of this Order to the Office of Zoning for inclusion in the IZIS case record of the case (including, if made available, any written confirmation from the Office of the Zoning Administrator).
5. **Five years after the issuance of the final certificate of occupancy for the Project,** if the Transportation 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 conditions in the Order, unless no longer applicable as confirmed by DDOT; provided, that if such letter is not submitted on a timely basis, the Applicant shall have sixty (60) days

**EXHIBIT B**  
**APPLICANT'S PROPOSED CONDITIONS OF APPROVAL**

from date of notice from the Zoning Administrator, DDOT, or goDCgo to prepare and submit such letter.

6. **For the life of the Project**, the Applicant shall adhere to the following TDM plan measures:
- a. Unbundle the cost of parking from the cost to lease an office or unit;
  - b. Identify a Transportation Coordinator for the Project once it has opened, who shall be responsible for (in addition to other job duties that may be assigned to the individual) coordinating with and disseminating information on various transportation alternatives and options to tenants in the building and acting as a point of contact with DDOT, goDCgo, and Zoning Enforcement, and share the contact information for the Transportation Coordinator with goDCgo;
  - c. Require the Project's Transportation Coordinator to conduct an annual commuter survey of building employees on-site, and report TDM activities and data collection efforts to goDCgo once per year, and obligate all tenants with more than 20 employees to survey their employees and report the results to the Project's Transportation Coordinator;
  - d. Require the Project's Transportation Coordinators to develop, distribute, and market various transportation alternatives and options to the employees, including promoting transportation events (i.e., Bike to Work Day, National Walking Day, Car Free Day) on the Project's website and in any internal building newsletters or communications, as applicable;
  - e. Provide links to CommuterConnections.com and goDCgo.com on property websites;
  - f. Provide for the Project's Transportation Coordinator to receive TDM training from goDCgo to learn about the TDM conditions for the Project and available options for implementing the TDM plan;
  - g. Require the Transportation Coordinator to notify goDCgo each time a new office tenant occupying a full floor or more of the Project moves into the Project and provide TDM information to each such new tenant;
  - h. Require the Transportation Coordinator to distribute information on the "Commuter Connections Guaranteed Ride Home" program, which provides commuters who regularly carpool, vanpool, bike, walk, or take transit to work with a free and reliable ride home in an emergency;
  - i. Require the Transportation Coordinator to demonstrate to goDOgo that all tenants with 20 or more employees are in compliance with the DC Commuter Benefits Law and the Parking Cash-Out Law, to the extent such laws are in effect;

**EXHIBIT B**  
**APPLICANT’S PROPOSED CONDITIONS OF APPROVAL**

- j. Require the Transportation Coordinator to provide employees who wish to carpool with detailed carpooling information, including carpool matching services sponsored by the Metropolitan Washington Council of Governments (“MWCOCG”) or other comparable service if MWCOCG does not offer this in the future;
- k. Designate a minimum of six (6) preferential carpooling spaces in a convenient location within the parking garage for employee use; provided that if the preferential carpool spaces are not fully utilized within one year after the building opens, such spaces may revert back to general use;
- l. Offer a free SmarTrip card and one (1) complimentary Capital Bikeshare coupon good for a free ride to each new employee at initial lease up;
- m. Provide, at no charge to and for use by any tenant of the building or employee thereof, no fewer than 93 long-term bicycle parking spaces in the Project, with room to accommodate a minimum of 5 spaces for non-traditional sized bikes including cargo and tandem bikes, and with a minimum of 9 spaces equipped with electrical outlets for the charging of electric bikes and scooters;
- n. Provide a bicycle repair station in the long-term bicycle parking storage room;
- o. Provide no fewer than 6 showers and 56 lockers for tenants of the building and employees thereof;
- p. Provide no fewer than 10 short-term bicycle parking spaces around the perimeter of Project;
- q. Provide no fewer than 15 electric vehicle charging spaces in the Project;
- r. Install a Transportation Information Center Display (electronic screen) or provide comparable information by other digital or electronic means (such as an app or website), 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;
- s. Require any office tenant occupying 75% or more of the office space in the Project to participate in the Capital Bikeshare corporate membership program and offer discounted annual memberships to employees;
- t. Hold a transportation event for employees and members of the community once per year for a total of five (5) years (examples include: employee social, walking tour of local transportation options, goDCgo lobby event, transportation fair, WABA Everyday Bicycling seminar, bicycle safety/information class, bicycle repair event, etc.); and
- u. Require the Transportation Coordinator to post “getting here” information for retail tenants in a visible and prominent location on the website for the Project with a

**EXHIBIT B**  
**APPLICANT'S PROPOSED CONDITIONS OF APPROVAL**

focus on non-automotive travel modes, and with links provided to goDCgo.com, CommuterConnections.com. transit agencies around the Washington metropolitan area, and instructions for customers discouraging parking on-street in Residential Permit Parking (RPP) zones.

**General**

9. This Application approval shall be valid for a period of two years from the effective date of this Order. Within such time, an application for building permit must be filed as specified in 11-Z DCMR §702.2. Construction must begin within three years after the effective date of this Order. (11-Z DCMR §702.3.)
  
10. 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 which is prohibited by the Act. In addition, harassment based on any of the above protected categories is prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.