

Exhibit A

Design Flexibility

The Applicant requests design flexibility in accordance with the flexibility contained in the conditions of the Approved PUD with minor deviations to account for design considerations not applicable during the approval of the first-stage PUD and/or to account for unique design configurations in the instant proposal, specifically items (h) through (o) below.

The Applicant shall have flexibility with the design of the PUD in the following areas:

- a. To provide a range in the number of residential units in the North Building of plus or minus ten percent (10%) relative to the number depicted on the Final Plans;
- b. To vary the location and design of all interior components, including but not limited to partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
- c. To vary the final selection of the exterior materials within the color ranges and material types as proposed, based on availability at the time of construction, without reducing the quality of the materials; and to make minor refinements to exterior details, dimensions and locations, including curtainwall mullions and spandrels, window frames and mullions, glass types, belt courses, sills, bases, cornices, balconies, railings and trim, or any other changes to comply with the District of Columbia Building Code or that are otherwise necessary to obtain a final building permit or to address the structural, mechanical, design, or operational needs of the building uses or systems;
- d. To vary the final design of retail frontages, including locations of doors, design of show windows and size of retail units and signage, to accommodate the needs of specific retail tenants;
- e. To vary the selection of plantings in the landscape plan depending on seasonal availability within a range and quality as proposed in the Final Plans or otherwise in order to satisfy any permitting requirements of DC Water, DDOT, DOEE, DCRA, or other applicable regulatory bodies;
- f. To make minor refinements to the floor-to-floor heights, so long as the maximum height and total number of stories as shown on the Plans do not change;
- g. To revise the design of the public space surrounding the Property and the exterior design of the project to the extent necessary to obtain approvals from District agencies and/or service to the Property from utilities or as would otherwise be in accordance with the Streetscape Design Guidelines;
- h. To make refinements to the approved parking configuration, including layout and number of parking spaces plus or minus ten percent (10%);

- i. To vary the amount, location and type of green roof, solar panels, 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 based on the area of the North Parcel only and provides a minimum of 1,000 square feet of roof area containing solar panels and related equipment;
- j. 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;
- k. To vary the final design and layout of the indoor and outdoor amenity and plaza spaces to reflect their final design and programming and to accommodate special events and programming needs of those areas from time to time;
- l. To vary the final design of the ground floor frontage, including the number, size, design, and location of windows and entrances, signage, awnings, canopies, and similar storefront design features, to accommodate the needs of the specific tenants within the parameters set forth in the Storefront and Signage Plans;
- m. To vary the final condition of the north façade (including without limitation modifying or removing windows and/or masonry) within the areas dashed in red on the Final Plans in the event a structure is building to the property line to the north;
- n. To utilize the ground floor space for any uses in the retail; service; eating and drinking establishment; PDR; arts, design, and creation; daycare; entertainment, assembly, and performing arts; office/research lab use categories; and
- o. To change the location and dimensions of the knock out panels in the garage in order to accommodate, on terms reasonably acceptable to the Applicant, an internal connection to a future building to the north of the Property.

[End of Exhibit A]