

Exhibit D

Proposed conditions for the Project include:

1. **Project Development.** The Project shall be built in accordance with the plans, including floodproofing plans, and elevations dated May 16, 2017, and marked as Exhibit 16 of the record, as modified by the drawings submitted as Exhibit 26 and Exhibit ____, and as modified by the guidelines, conditions, and standards herein.
2. The Project will have relief from the drive aisle width requirements and the penthouse mechanical height requirements for elevator overrides.
3. The Applicant will have the following areas of flexibility:
 - a. To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, provided that the variations do not change the exterior configuration of the building;
 - b. To provide a range in the number of residential units and vehicular parking spaces plus or minus 10%;
 - c. To vary the final selection of the exterior materials within the color ranges of the 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, locations, and dimensions, including: window mullions and spandrels, window frames, doorways, glass types, belt courses, sills, bases, cornices, railings, canopies and trim, such that the refinements do not substantially change the external configuration or appearance of the building;
 - d. To continue coordination of the streetscape design and areas in public space with DDOT during the public space process;
 - e. To modify the number and location of retail entrances, based on the number of tenants ultimately secured for the retail space; and
4. **Transportation Demand Management Measures.** Prior to the issuance of a Certificate of Occupancy for the Project, the Applicant shall demonstrate that it has or will adhere to the following Transportation Mitigation measures as set forth in the DDOT report:
 - a. Install an eastbound right turn lane with a storage length of 150 feet at the intersection of 2nd Street & P Street;
 - b. Construct the 2nd Street cycle track from V Street to the Anacostia Riverwalk Trail. The cycle track requires a total of 10 feet and the total carpath cross section requires 2,840 feet;

- c. As part of the public space reconstruction, construct a bus pad in V Street and other supportive elements to support a future bus stop at the corner of V Street and 1st Street;
 - d. Provide a 19-dock Capital Bikeshare station and first year's operating costs;
 - e. Provide a total of two electronic displays showing real-time transportation, to be located in the residential lobby and in another public location to be determined through the public space process.
 - f. Provide showers, changing facilities, and lockers for use by retail and restaurant employees;
 - g. Provide at least seven electric car charging stations within the parking garage; and
 - h. Unbundle parking costs from the price of lease or purchase of residential units.
5. **Loading Demand Management Measures.** Prior to the issuance of a Certificate of Occupancy for the Project, the Applicant shall demonstrate that it has or will adhere to the following Loading Mitigation measures as set forth in the DDOT report:
- a. A loading dock manager will be designated by the building management (duties may be part of other duties assigned to the individual). He or she will coordinate with vendors and tenants to schedule deliveries and will be on duty from 9:00 AM to 5:00 PM and will coordinate with the community and neighbors to resolve any conflicts should they arrive;
 - b. All tenants will be required to schedule deliveries that utilize the loading dock (any loading operation conducted using a truck 20' in length or larger) and all loading activities are required to occur at the loading docks;
 - c. The dock manager will schedule deliveries such that the dock's capacity is not exceeded. In the event that an unscheduled delivery vehicles arrives while the dock is full, that driver will be directed to return at a later time when a berth will be available so as not to compromise safety or impede street or intersection function;
 - d. The dock manager will monitor inbound and outbound truck maneuvers and will ensure that trucks accessing the loading dock do not block vehicular, bike, or pedestrian traffic along 2nd Street and 1st Street except during those times when a truck is actively entering or exiting a loading berth;
 - e. Trucks larger than WB-40 will not be permitted in any loading berths except for the northern most loading berth on 2nd Street;
 - f. Non-certified flaggers will be provided to assist with inbound and outbound truck maneuvers in each of the loading docks to ensure vehicular, bike, and pedestrian traffic is not impeded;

- g. Trucks using the loading dock will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT’s Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route Map; and
 - h. The dock manager will be responsible for disseminating suggested truck routing maps to the building’s tenants and to drivers from delivery services that frequently utilize the development’s loading dock as well as notifying all drivers of any access or egress restrictions. The dock manager will also distribute materials as DDOT’s Freight Management and Commercial Vehicle Operations document to drivers as needed to encourage compliance with idling laws. The dock manager will also post these documents and notices in a prominent location within the service area.
6. **Affordable Housing**. The Project shall provide affordable housing as follows:
- a. New Residential GFA: For the life of the Project, the Applicant shall set aside no less than eight percent of the New Residential GFA as affordable housing. The Applicant shall:
 - i. Devote approximately 33,146 square feet of New Residential GFA to housing;
 - ii. Set aside no less than eight percent of the New Residential GFA, currently equaling approximately 2,650 square feet, as inclusionary units pursuant to 11-C DCMR Chapter 10; and
 - iii. Set aside no less than eight percent of the New Residential GFA, currently equaling 2,650 square feet, as inclusionary units for households earning no more than 60% of the AMI.
 - b. Penthouse Residential GFA: For the life of the Project, the Applicant shall set aside no less than eight percent of the penthouse residential GFA as affordable housing. The Applicant shall:
 - i. Devote approximately 39,959 square feet of penthouse residential GFA to housing;
 - ii. Set aside no less than eight percent of the penthouse residential GFA, currently equaling approximately 3,200 square feet, as inclusionary units pursuant to 11-C DCMR Chapter 10; and
 - iii. Set aside no less than eight percent of the penthouse residential GFA, currently equaling 3,200 square feet, as inclusionary units for households earning no more than 50% of the AMI.
 - c. The set-aside requirements are set forth in the following chats:

2100 2 nd Street SW					
Residential Unit Type	New Residential GFA / Percentage of Total	Income Type	Affordable Control Period	Affordable Unit Type*	Notes
Total	33,146 sf/100%		Life of project	Rental	NA
Market Rate	30,496 sf/92%	Market	Life of project	Rental	NA
IZ	2,650 sf/8%	60% AMI	Life of project	Rental	NA

2100 2 nd Street SW					
Residential Unit Type	Penthouse Residential Square Footage / Percentage of Total	Income Type	Affordable Control Period	Affordable Unit Type*	Notes
Total	39,959 sf/100%		Life of project	Rental	NA
Market Rate	36,759 sf/92%	Market	Life of project	Rental	NA
IZ	3,200 sf/8%	50% AMI	Life of project	Rental	NA

7. **LEED.** The Applicant shall submit with its building permit application a LEED checklist indicating that the Project includes sustainable design features such that the building achieves LEED Gold Status. Within 12 months after the issuance of the Certificate of Occupancy for the building, the Applicant shall provide evidence that it has secured Gold Certification or higher from the U.S. Green Building Council under the LEED-v.2009 rating system.
8. **Solar.** The Applicant shall dedicate at least 8,000 square feet of rooftop space for solar panels.
9. **Satellite Parking Sidewalks.** Prior to the issuance of a Certificate of Occupancy, the Applicant shall construct a temporary, asphalt, 6-foot wide sidewalk to any satellite parking site with which it has a contract for services.
10. **Riverwalk Trail Design.** The Riverwalk Trail shall be designed and constructed in compliance with the final Buzzard Point Riverwalk Guidelines.

11. The application approved by this Commission 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.
12. 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.