

MEMORANDUM OF UNDERSTANDING

By and between Penn Avenue Partners, LLC, and [insert name] on behalf of Neighboring Residents, collectively the "Parties."

RECITALS:

1. Penn Avenue Partners, LLC is the owner of 1550 Pennsylvania Avenue, S.E., located in Lot 130 in Square 1077 in the District of Columbia ("Subject Property").
2. Penn Avenue Partners, LLC desires to develop the Subject Property into an 81 unit residential apartment building.
3. Implementation of the Penn Avenue Partners, LLC proposal will entail certain relief from the Board of Zoning Adjustment including:
 - Special exception relief pursuant to Section 3104.1 of Title 11 of the District of Columbia Municipal Regulations from the roof structure requirements of Section 777 (411.5)
 - Variance relief from the requirement to provide one 55-foot loading berth (the project will include the required 100 square foot loading platform, a 30-foot loading berth and a 20-foot service and delivery space)
 - Variance relief from the requirement to provide 41 parking spaces (the project will include 30 parking spaces)
 - Variance relief from the requirement to provide compact parking spaces in a garage with less than 25 parking spaces (the project will include 11 compact spaces in a garage that includes a total of 22 parking spaces)
4. The Neighboring Residents own and/or occupy property in close proximity to the Subject Property.

UNDERSTANDING OF THE PARTIES:

The Neighboring Residents are supportive of the Penn Avenue Partners, LLC project and desire it to be approved by the Board of Zoning Adjustment (BZA) upon the understanding and commitment of Penn Avenue Partners, LLC to the following:

1. Penn Avenue Partners, LLC will create a Transportation Demand Management Plan that will encourage residents of the new building to utilize public transportation.
2. Penn Avenue Partners, LLC will actively seek an agreement with a car share service to utilize two of the building's parking spaces for purposes of car share, and to site those spaces in a way that minimizes impact on neighbors.
3. Penn Avenue Partners, LLC will proactively advocate to DDOT for additional on-street parking spaces in the neighborhood as identified by their transportation consultant, particularly new on-street, all day (no rush hour restriction) parking spaces on the Pennsylvania Avenue side of the building.

4. Penn Avenue Partners, LLC will actively participate in DDOT's Barney Circle – Southeast Boulevard project and will support efforts by Neighboring Residents to minimize increased through traffic, to slow traffic, to maintain the low volume of traffic and to maintain ample on-street parking on the 700 and 800 blocks of Kentucky Avenue SE. Penn Avenue Partners, LLC and Neighboring Residents will also urge DDOT to implement appropriate traffic calming measures to discourage speeding on Freedom Way SE.

5. Penn Avenue Partners, LLC will work with Neighboring Residents and DDOT to create an appropriate Loading Management Plan that will include appropriate move in and move out times, loading times, a name and contact number for the building's loading contact and garbage/trash pick-up times. Penn Avenue Partners, LLC will also enclose or gate the outside trash area to discourage illegal dumping and rodents.

6. Penn Avenue Partners, LLC will work with Neighboring Residents on an acceptable Construction Management Plan that includes details on where construction vehicles can park during construction, where on-site construction worker vehicles can park, plans for rodent abatement (if necessary), hours of construction and an on-site contact in case of noise or trash problems.

7. Post-construction, Penn Avenue Partners, LLC will provide the name and number of an on-site contact who Neighboring Residents can contact if there are issues at the building.

8. Penn Avenue Partners, LLC will share final design plans with Neighboring Residents and be open to accepting neighbor feedback and comments with the understanding that Neighboring Residents do not have authority on design decisions.

9. Penn Avenue Partners, LLC will minimize noise from any utility rooms or mechanicals on the site, including the rooftop mechanicals.

10. Penn Avenue Partners, LLC will construct the parking spaces off Freedom Way in a way that will not result in water run-off negatively affecting adjacent properties. In addition, Penn Avenue Partners, LLC will work to provide appropriate lighting for the Freedom Way parking spaces that minimizes light shining on adjacent residential properties.

11. Penn Avenue Partners, LLC agrees to provide regular e-mail updates and to meet periodically with Neighboring Residents to update them on the status of the project and to address questions and concerns. Both Parties will commit to ongoing two-way communication regarding the project.

12. The terms and provisions of this Memorandum are contingent upon the support of surrounding neighbors and ANC 6B.

13. The Parties hereto reserve the right to amend this document at any time with the written agreement of both Parties.

PENN AVENUE PARTNERS, LLC

By:

NEIGHBORING RESIDENTS

By:

(Name of Neighbors)

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