EXHIBIT E

ZC 14-07: 1270 4th Street, NE

Applicant Response to 10-27-2014 DDOE Memo

March 5, 2015

Green Building

i. Overall green building strategy – The project should define and express an overall green building strategy.
- The building will achieve LEED silver certification under the current USGBC rating system. The project team includes several LEED APs to ensure green building strategies are identified and incorporated from the outset.

ii. Green Building Certification – DDOE recommends that this project exceed the baseline requirements, and pursue a LEED v4 Certification at the Gold level or higher.
- The building will achieve LEED silver certification under the current USGBC rating system.

iii. Building systems –DDOE recommends that buildings improve energy efficiency by 20 percent over ASHRAE 90.1-2010.
- The applicant concurs with DDOE's recommendation that the project define and conform to one overall green building strategy, and the project will achieve LEED silver certification.

iv. Limit glazing to 40 percent of the envelope surface and install continuous insulation on the exterior side of the building framing. Include details in the plans and specifications to ensure proper air-sealing and compartmentalization of residential units.
- The current design includes glazed openings that make up less than 40% of the overall envelope surface, inclusive of roof and bottom floor. Continuous insulation in the envelope and compartmentalization of residential units (if applicable) will be incorporated into the design as required by ASHRAE 90.1.

v. Design for maximizing of solar potential by locating roof structures on the north side of the roof surface, and minimizing other obstructions.
- The roof structure will be designed to support the equipment load of a solar PV system. The building switchgear will also include appropriate bussing and / or expansion lugs to facilitate the future tie-in of a photovoltaic system.

vi. Include on-site renewable energy to meet 3 percent or more of the building's total energy need.
- The applicant will purchase green power generated from offsite sources.

vii. Specific details should be developed during design and reviewed prior to building permitting to ensure air sealing and insulation best practices are being met along the party walls.

- The project will not include any party walls above grade. The garage may include a fire wall at the north terminus of phase one, but as this will be below grade there are no air sealing or insulation issues.

Green Area Ratio

Submit GAR plans for new buildings during the Foundation-to-grade (FD) or Civil (BCIV) permit to allow coordination with stormwater plan review. If a project will take place in multiple zones, we request that it meet the zone requirement with the highest minimum GAR score.

- The applicant commits to a minimum GAR of 0.225, and the scorecard will be submitted with the FD and B permits. The project is only in one zone.

Stormwater Management

i. Consult the DDOE Stormwater Management Guidebook (2013) for strategies and guidance for stormwater management design.
   - Will comply.

ii. The project team is encouraged to schedule an early PDRM at the 65% design stage with DDOE Watershed staff and DDOT public space reviewers to ensure the design maximizes pervious and green surfaces as well as minimizing longterm maintenance costs.
   - The project team will work with DDOE, DDOT and DCRA staff to ensure compliance with the District's stormwater regulations. This will occur during both the EISF and Public Space design approvals.

iii. Integrate low impact development strategies for stormwater management throughout the site.
   - The project will comply with DC stormwater regulations.

iv. Integration of greenspace, low impact development (LID) strategies, such as bioretention areas, green roofs, and capture of stormwater adjacent to the "curbless streetscape" can contribute to overall stormwater management, community connectivity, and walkable streetscapes, and should be incorporated into the plans. Strategies should be further investigated with DDOE and DDOT staff during the PDRM meeting.
   - The project will rely upon green roofs to meet onsite stormwater management requirements. The applicant will work with DDOE, DDOT and DCRA staff during both the EISF and Public Space approvals to ensure compliance with DC stormwater requirements in public space.

v. Provide canopy coverage within 20 years of project occupancy of 30% of non-roof impervious surfaces and 40% of overall-non-roof surfaces within the project area.
   - The applicant will be working with DDOT to create Streetscape Design Guidelines for the 45 acre Union Market district. Tree spacing and selection will be finalized through that effort.

vi. The project proposes both intensive and extensive green roof areas but does not locate these areas on the plans. Indicate locations for green roof areas and show total quantity of stormwater retained through these measures.

- The application has been updated to show these areas.

Water Quality and Use

i. Follow all regulations related to wastewater and stormwater discharge into public infrastructure to minimize quantities and therefore minimize overall impact.
   - Will comply. Note that the project will discharge into the Combined Sewer System, not the MS4 Separate Stormwater System. The project will not require EPA permits.

ii. Plants should be native and adaptive species in order to reduce potable water demand for irrigation.
   - At least 75% (as measured by cost) of plants used on site will be adaptive or native.

iii. Rainwater should be captured in cisterns and reused to meet site irrigation needs or for other purposes. Water used for irrigation should be separately metered and have moisture sensors installed.
   - There is no irrigation planned for the site.

iv. Residential plumbing fixtures should exceed the minimum code requirements.
   - As the project will achieve LEED silver certification, potable water use will be reduced by 20% over the reference standard.

v. Commercial plumbing fixtures should include dual flush water closets, automatic, metered faucets, and waterless urinals.
   - As noted above, the project will achieve LEED silver certification and potable water use will be reduced by 20% over the reference standard. The applicant will make reasonable attempts to include the fixtures noted above to the extent permitted by our agreements with our tenants.

Waste and Toxic Substances

i. Provide documentation of existing hazardous materials through a Phase 1 Environmental Assessment.
   - A phase I has been completed and will be submitted to DCRA and DDOE as part of our EISF.

ii. Divert a minimum of 75 percent of construction and demolition waste.
   - The project will divert at least 50% of construction and demolition waste.

iii. Recycling – Provide documentation of trash collection rooms with dedicated space for recycling and separation of waste streams. If trash chutes will be installed, include operation guidelines for diverters or separate chutes for recycling.
   - The building design will include measures to enable the separation of recyclables from the residential waste stream.

Air Quality / Environment

i. Erosion and sediment control guidelines should stress dust-free construction activity and the contractor should appoint personnel to enforce regulations.
- Will comply.

ii. The architect should specify zero-VOC paints, adhesives, and sealants to the greatest extent possible.
- The applicant will make reasonable efforts to incorporate zero-VOC specifications into the project.

iii. HVAC and ventilation equipment should be specified to ensure proper air exchange and balanced interior air pressure which will limit odors, eliminate moisture, and guarantee healthy air quality.
- The project will comply with ASHRAE 62.1. The applicant will make reasonable efforts to achieve "Indoor Environmental Quality" credits through the LEED certification process.

iv. Anti-idling signs should be posted during construction as well as permanently at the loading dock(s) and anywhere else at the site where it is likely that commercial vehicles would idle.
- Will comply.

v. Air quality monitoring of the surrounding neighborhood as required by the EISF should include impacts on the major intersections at New York and Florida Avenues NE.
- The scoping for the air quality assessment will be negotiated with DDOE staff through the EISF approval process.

vi. Existing structures to be renovated or razed are required to perform an assessment of the presence of asbestos-containing materials and conduct the appropriate abatement if such materials are determined to be present prior to the renovation process.
- Any asbestos or hazmats in the existing building will be abated prior to demolition per District regulations.

vii. A backup/emergency generator cannot be used in a reimbursed demand response program unless the generator has had best available control technology (BACT) installed according to DDOE requirements.
- Understood.

viii. Based on the program and use of the building, approximately 180 parking spaces are required by the Zoning code. The project proposes approximately 450 parking spaces, which will exceed the minimum parking requirements required. DDOE recommends limiting parking provisions for the site and reinvesting this significant construction cost in energy efficiency and other sustainable building strategies.
- As the 45 acres of the Union Market redevelop, approximately 625 surface parking spaces will be lost to redevelopment. This includes approximately 400 head-in spaces along the street, and 225 spaces in the surface lot immediately south of Union Market. The applicant

proposes to replace approximately 155 of these spaces as part of this project; these are in addition to the 55 retail spaces required by code. Note that existing surface lot south of Union Market is paved in asphalt, which contributes significantly to both the urban heat island effect and high velocity stormwater runoff, and the proposed underground spaces contribute to neither.