

RICHARDSON PLACE NEIGHBORHOOD  
ASSOCIATION,

Appellant,

v.

D.C. DEPARTMENT OF CONSUMER AND  
REGULATORY AFFAIRS,

And

OAKTREE DEVELOPMENT, LLC, d/b/a/  
OTD 410-412 RICHARDSON PLACE LLC,

Applicant.

Case No.: 19441

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**APPELLANT’S MOTION TO SUPPLEMENT UNDER 11-Y D.C.M.R. § 302.16**

Appellant Richardson Place Neighborhood Association (“RPNA”) respectfully moves to supplement the administrative record in the above-captioned case with additional information and factual developments occurring subsequent to the filing of this appeal. *See* 11-Y D.C.M.R. §§ 302.14, 302.16.

*First*, on February 21, 2017, Advisory Neighborhood Commission (ANC) 5E—the ANC within which the subject property (410 and 412 Richardson Place) is located—voted unanimously to support RPNA’s appeal. The ANC has submitted its ANC Report (Form 129) to the Board and the DC Office of Zoning, including a one-page resolution. A copy of that filing is attached to this motion as Supplemental Exhibit 1 (S-1). Appellant notes that ANC 5E may adopt additional recommendations to provide to the BZA following its scheduled meeting on Tuesday, March 21, 2017. *See* Exh. S-1 at 2 (“[ANC] 5E may provide further recommendations and an additional resolution prior to the BZA hearing.”). Should any such resolution be adopted,

Appellant will bring a copy of the new resolution to the BZA hearing scheduled for March 22, 2017.

*Second*, on February 6, 2017, the Bates Area Civic Association (BACA, a 501(c)(3) non-profit organization representing residents in single-member districts for ANC 5E06 and ANC 5E05, voted unanimously (26 to 0) to adopt a resolution in support of RPNA's appeal. A copy of the resolution that was approved during that meeting, as well as a copy of the meeting minutes reflecting the vote count, are attached as Supplemental Exhibit 2 (S-2). The relevant portion of the resolution is as follows:

While we [BACA] believe such a project could provide a positive contribution to the neighborhood, we also agree with Appellant that the use is one that, on account of its substantial impact on the neighborhood in terms of increased density and potential spillover on parking, should have been pursued by seeking a variance and, consequently, the input and views of the neighborhood on how best to mitigate its impacts. For these reasons, we support RPNA's Appeal and urge the ANC to take necessary actions to protect the interests of our members.

*See* Bates Area Civic Association Feb. 6, 2017, Resolution in Support of RPNA, at Exh. S-2.

*Third*, Appellant attaches as Supplemental Exhibit (S-3, S-4, S-5, S-6, and S-7) five publications made by the Applicant's lessee, Common, on either its website's blog or in web advertisements on Facebook. The documents are enumerated below, along with a brief discussion of their relevance to the appeal, and are attached to this Motion:

**1. *Couples at Common*, by Hadas Ben-Tsur (Feb. 13, 2017) [Supp. Exh. S-3]**

Reinforcing Appellant's concerns that the subject property will routinely exceed any occupancy limits established by law is the fact that Common admits that couples routinely reside in "single" rooms designed to be habited by one person. *See* Appellant Memorandum in Support at 22. The blogpost features "a few of the many couples that

live at Common.” *See Couples at Common* (Exh. S-3) at 1. One of the featured individuals notes that she shares a single room with her partner, explaining that “living at Common as a couple is not different than living as a single person. If we want privacy, we have our room. The great thing is also the fact that we have our own bathroom.” *Id.* at 5.

The blogpost also illustrates that Common’s—and therefore Oaktree’s—tenants are not “living together as a single [6-person] house-keeping unit.” 11 D.C.M.R. § 199.1 (2015); *see* Appellant Memorandum in Support 14-15. As one featured couple explains, Common provides, among other things, professional cleaning services, so “we don’t have to worry about splitting up chores in the shared spaces.” *Couples at Common*, (Exh. S-3) at 10. Common itself also represents that “Couples at Common enjoy their own space with the opportunity to join the community whenever they want.” *Id.* at 14. It is therefore clear that, given the private rooms and bathrooms, combined with the outsourcing of caring for the common areas, the individuals living at Common residences do not have “shared access to the premises and joint responsibility for the care thereof,” which are “significant considerations” in deciding whether a living arrangement qualifies as a single, house-keeping unit. *Armstrong v. Mayor & City Council of Baltimore*, 410 Md. 426, 453 (2009); *see also* Appellant Memorandum in Support 14-15. Given these representations, it is clear that Common’s living arrangement does not so qualify.

**2. *Private, Shared, and Community Spaces at Common*, by Danielle Robin (Feb. 11, 2017) [Supp. Exh. S-4]**

Also revealing that the building at 410 and 412 Richardson place is not a “flat”—*i.e.*, a single family use of no more than 6 unrelated people living together, *see* 11 D.C.M.R. §§ 199 (defining “flat” and “family”)—is the fact that all of the residents living

in Common properties, like the one at 410 and 412 Richardson Place, are entitled to enjoy access to *each and every* shared common space. Common explains the way it conceptualizes its residents' use of its facilities as follows:

Common homes are divided into suites, which range from two to five bedrooms. Within a suite, there are shared spaces, including but not limited to kitchens, bathrooms, couches and coffee tables, breakfast nooks, and storage space.

Building community at Common doesn't happen overnight. We believe that the secret to creating a **thriving home of 10, 20, or 50 individuals** is to first build community on more intimate levels, and shared spaces allow us to do this. We encourage suites to develop their own culture and traditions using that smaller shared space as a home base. . . . While members live in their own suites, they often **move throughout the homes and visit other suites** for movie marathons, happy hours, or other casual pop-up events.

Every Common home has a place where all of its members can come together, and where other Common members can also spend time. It's important to note that **members have access to community spaces at each Common home, which means that a member living in the [Common property named] Pacific Flagship can access the game room at the [separate Common property named] Albany Flagship down the road, and the Albany members can use the Pacific dining room.**

*Private, Shared & Community Spaces* (Exh. S-4) at 2-3 (emphasis added). As is clear from the emphasized text above, a privilege of living in a Common property is the ability to freely move throughout not only your own "suite's" common spaces, but those of any other Common property.

This has several important implications relevant here. For one, it means that any assertion that Common or Oaktree intend this structure to be used as four *independent*, single-family units is belied by Common’s approach to sharing all of the building’s common spaces. While the applicant would like the Board to believe that the property consists of 4 single-family units, each with 6 bedrooms and a single common area, it is clear that, as reflected in Common’s advertising literature, it will operate as a single residence with 24 single-bedroom units, all of whose residents may enjoy **all** of the shared common spaces at 410 and 412 Richardson Place without restriction. Not only that, even nonresident tenants of *other* Common properties located elsewhere—including in New York and California—are entitled to enter and use the communal spaces at 410 and 412 Richardson. *See id.*

To conclude that this living arrangement falls into the “single family” category would eviscerate the definition of a single family in the zoning code as “six (6) [unrelated] persons . . . living together as a single house-keeping unit, using certain rooms and housekeeping facilities in common.” 11 D.C.M.R. § 199. What Common proposes instead is clearly a minimum of **24** (and with couples, likely more) persons living together as a collective **single** building. That the building is artificially divided into 4 “suites” is an artificial attempt to skirt the restrictions on apartment houses in R-4 zones. Common’s arrangement is plainly not, and cannot be, considered a “family” use under the zoning code, meaning the use intended by the applicant simply cannot qualify as a “flat.”

To the extent the Zoning Administrator concluded otherwise, it did so in error. As the Board explained in *Appeal of Southeast Citizens for Smart Development, Inc.*,

“To determine whether the proposed use of the property was a matter of right or whether it required special exception approval, the Zoning Administrator should have evaluated the applications to determine whether the proposed use consisted of a series of small, independent group homes that coincidentally happened to be located side by side, or whether the proposed use was a single facility with all the operational characteristics of a single, larger group home.” *Appeal of Southeast Citizens for Smart Development, Inc.*, BZA No. 16791, at 22 (May 7, 2002). While the Zoning Administrator here may not have been apprised of Oaktree’s intended use until this appeal, the Board has the information necessary to determine whether Oaktree’s use conforms to the zoning code. *See* 11 D.C.M.R. § 3202.2. It plainly does not.

Common’s approach to its residents’ use of space also reinforces that residents do not enjoy exclusive control over the entire premises—namely, private bedrooms and bathrooms—as would be the case in a standard single-family arrangement. *See* Appellant Memorandum in Support 15-16. Indeed, Common specifically represents that “everyone at Common has their own bedroom, either for a single person or a couple. . . . We believe that a private space for each member is absolutely essential to a thriving shared housing environment.” *See* Exh. S-4 at 1-2.

**3. *Common Baltic: An Expanded Vision of Community Living*, by CEO Brad Hargreaves (Dec. 19, 2016) [Supp. Exh. S-5]**

This blogpost, written by none other than the CEO of Common, simply reiterates what Appellant has already shown above—that Common intends its rooms to be occupied by couples, meaning the 24-unit residence at 410 and 412 Richardson place could easily exceed 24 individuals, should even **one** resident invite his or her significant other to share the room.

**4. *Behind the Scenes – How We Onboard Members*, by Joel Clay (Nov. 16, 2016) [Supp. Exh. S-6]**

This article indicates that Common provides “flexible month-to-month terms at an all-in-one price,” *id.* at 1, further illustrating that the subject property will not function as a single housekeeping unit but rather as transient housing more akin to a rooming or tenement house, *see* Appellant Memorandum in Support 17-20, but at a minimum that it is not a single-family use such as a “flat.” *Accord* Appellant Memorandum in Support, Attach. H (Common Webpage) at 3 (noting that Common allows “flexible moves,” and that a resident may “[m]ove to any other Common home within just 24 hours [sic] notice”).

**5. *Facebook Advertisements, last viewed Feb. 28, 2017* [Supp. Exh. S-7]**

Appellant also attaches two advertisements that Common has featured on Facebook, in which it targets property owners who wish to enlist Common’s help in managing their leasing arrangements. Common advertises that it can help property owners “Beat [the] Market [by] up to 50%,” *id.* at 2, and can help property owners “Raise Your [net operating income] up to 50%,” *id.* at 1. These advertisements reflect the fact that Common and Oaktree’s use at the subject property constitute a for-profit, commercial housing arrangement, further reflecting that the use is not a single-family arrangement. *See* Appellant Memorandum in Support at 15; *In re Miller*, 511 Pa. 631, 638 (1986) (indicating that residential arrangements “that were primarily established for profit . . . are not compatible with traditional family settings”).

*Finally*, Appellant wishes to notify the Board that the Applicant has recently filed for and obtained at least one certificate of occupancy, which Appellant intends to appeal in due course.

The issues related to the appeal of that certificate of occupancy are nearly, if not completely, identical to those presented here. The Board may therefore consolidate that appeal with the instant one if it deems that doing so is in the best interest of adjudicating this dispute.

DATED: March 1, 2017

Respectfully submitted,

/s/ James J. Wilson  
President, Richardson Place  
Neighborhood Association  
[rpna@jamesjwilson.com](mailto:rpna@jamesjwilson.com)



**CERTIFICATE OF SERVICE**

Pursuant to 11-Y D.C.M.R. §§ 205, 300.11, and 302.15, I hereby certify that on this 1st day of March 2017, I have served Appellant’s Motion to Supplement , along with attached supporting documents, upon the following by electronic mail and/or the Board of Zoning Adjustment’s online Interactive Zoning Information System (IZIS).

\*\*\*

Oaktree LLC

Kyrus Lamont Freeman  
Holland & Knight  
800 17th Street N.W.  
Suite 1100  
Washington, DC 20006  
202.862.5978  
Email: [kyrus.freeman@hklaw.com](mailto:kyrus.freeman@hklaw.com)

ANC 5E06

Katherine McClelland  
Advisory Neighborhood Commissioner  
Email: [5E06@anc.dc.gov](mailto:5E06@anc.dc.gov)

Dated: March 1, 2017

/s/ James J. Wilson  
415 Richardson Pl. NW  
President  
Richardson Place Neighborhood Association  
Email: [rpna@jamesjwilson.com](mailto:rpna@jamesjwilson.com)

**Supplemental Exhibit 1 (S-1)**

*ANC Report (Form 129)*

*Submitted in Support of BZA No. 19441*

BEFORE THE ZONING COMMISSION AND  
BOARD OF ZONING ADJUSTMENT OF THE DISTRICT OF COLUMBIA

**FORM 129 – ADVISORY NEIGHBORHOOD COMMISSION (ANC) REPORT**

**Before completing this form, please review the instructions on the reverse side.**

Pursuant to Subtitle Z § 406.2 and Subtitle Y § 406.2 of Title 11 DCMR Zoning Regulations, the written report of the Advisory Neighborhood Commission (ANC) shall contain the following information:

IDENTIFICATION OF APPEAL, PETITION, OR APPLICATION:

Case No.:	BZA Case No. 19441	Case Name:	RPNA Appeal of DCRA Permits
Address or Square/Lot(s) of Property:	410-412 Richardson Pl NW		
Relief Requested:	Appeal of permits granted		

ANC MEETING INFORMATION

Date of ANC Public Meeting:	21 / 02 / 17	Was proper notice given?:	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Description of how notice was given:	Seven calendar days prior to the ANC SE public monthly meeting, the agenda was posted on the ANL SE public website, local listservs & blogs, & publicly posted		
Number of members that constitutes a quorum:	4	Number of members present at the meeting:	10

MATERIAL SUBSTANCE

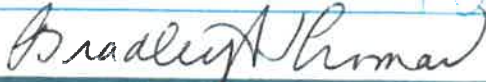
The issues and concerns of the ANC about the appeal, petition, or application as related to the standards of the Zoning Regulations against which the appeal, petition, or application must be judged (a separate sheet of paper may be used):

The ANC voted to support the appeal of the permits.

The recommendation, if any, of the ANC as to the disposition of the appeal, petition, or application (a separate sheet of paper may be used):

We recommend BZA revoke the permits issued for 410-412 Richardson Place NW according to the appeal (attached).

AUTHORIZATION

ANC	SE	Recorded vote on the motion to adopt the report (i.e. 4-1-1):	10-0-0
Name of the person authorized by the ANC to present the report:	Katherine McClelland		
Name of the Chairperson or Vice-Chairperson authorized to sign the report:	Bradley Thomas		
Signature of Chairperson/ Vice-Chairperson:		Date:	02/28/2017

ANY APPLICATION THAT IS FOUND TO BE INCOMPLETE MAY NOT BE ACCORDED "GREAT WEIGHT" PURSUANT TO  
11 DCMR SUBTITLE Z § 406 AND SUBTITLE Y § 406.



ANC 5E RESOLUTION No. 2017-2

BZA Case No. 19441, Richardson Place Neighborhood Association (RPNA) appeal of DCRA permits @ 410-412 Richardson Pl. NW

WHEREAS, the Richardson Place Neighborhood Association (RPNA) filed an appeal of DCRA permits at 410-412 Richardson Pl. NW; and

NOTING THAT, RPNA received unanimous support for this appeal from the Bates Area Civic Association; and

WHEREAS, RPNA sought support for their appeal from ANC 5E, the Commission heard testimony from a legal representative for Oaktree Development and a representative from RPNA prior to their vote on whether to support the appeal of DCRA permits for 410-412 Richardson Pl NW.

Proper notice of the meeting was given. Seven calendar days prior to the ANC 5E public monthly meeting, the agenda is posted on the ANC 5E website and all the local listservs and blogs. Each commissioner posts the agenda in four conspicuous places throughout their respective Single Member Districts.

Advisory Neighborhood Commission 5E is comprised of ten Commissioners. Six Commissioners constitute a quorum. Ten Commissioners were present at the meeting. After being properly moved and seconded, the motion to support the appeal of permits in BZA Case Number 19441, the motion passed unanimously by roll call, with 10 Commissioners voting for, 0 voting against, and 0 abstaining.

THEREFORE BE IT RESOLVED that ANC 5E as its duly noticed Public Meeting held at Friendship-Armstrong Public Charter School, on February 21, 2017, resolved and voted to support the appeal of permits at 410-412 Richardson Pl NW.

BE IT FURTHER RESOLVED that Advisory Neighborhood Commission 5E may provide further recommendations and an additional resolution prior to the BZA hearing, to be held on March 22, 2017.

Respectfully,

Bradley A. Thomas  
Chairman ANC 5E

Katherine McClelland  
Correspondence Secretary  
ANC 5E06 SMD

**Commissioners**

5E01 Edward Garnett  
[5E01@anc.dc.gov](mailto:5E01@anc.dc.gov)  
202-596-9027

5E02 Patricia Williams  
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5E09 Dianne Barnes  
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202-387-2497

5E10 Nanny Jones  
[5E10@anc.dc.gov](mailto:5E10@anc.dc.gov)  
202-594-7850

COW – Saturday,  
Feb 4, 2017 (11am)  
Summit Apartments  
PUBLIC – Tuesday,  
Feb 21, 2017  
Friendship Armstrong  
Public Charter School

**Supplemental Exhibit 2 (S-2)**

*Bates Area Civic Association Resolution in Support of  
Appellant in BZA No. 19441 and Meeting Minutes*



## February Bates Area Civic Association meeting agenda (2/6--7pm)

3 messages

Kyle Thomas <thomkyle@gmail.com>

Tue, Jan 31, 2017 at  
8:17 PM

To: Kathryn Mevis <katemevis@gmail.com>, Steve Seigel <sseigel@gmail.com>, "J. Justin Wilson" <justin@jamesjwilson.com>, Jay Gross <jay@11thpg.com>, "Rogers, Hakeem (EOM)" <hakeem.rogers@dc.gov>, Joseph DeSanto Jones <joedesanto@gmail.com>  
Cc: Terry Rhea <terry.rhea@gmail.com>, "Thomas, Bradley Ashton (SMD 5E05)" <5E05@anc.dc.gov>, "Verna Jr., William (MPD)" <William.Verna@dc.gov>, Harold Gist <hjgist@gmail.com>, Geovani A Bonilla <gbonilla@hospicemanagement.com>, Katherine McClelland <ktemcc@gmail.com>

Good evening,  
Below please find the agenda for the upcoming BACA meeting. Please let me know if you cannot attend.

Thank you.

### Meeting Information

<b>Date:</b>	Monday, February 6, 2017 7:00pm	<b>Location:</b>	Mount Sinai Baptist Church Old Sanctuary 3rd & Q St NW
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Agenda Topic & Description		Presenter	Time
1	Welcome	Kate Mevis	7:00
2	MPD Updates <i>Representatives from MDP will share stats on crime and hear community concerns</i>	Representatives from MDP	7:05- 7:20
3	Voting item: Resolution on the development of 410 Richardson Place NW <i>BACA members are asked to vote on whether to support or abstain from a resolution seeking certain demands from the developers and future tenant of 410 Richardson Pl NW. Resolution language provided by RPNA below.</i>	Steve Seigel/Justin Wilson	7:20- 7:40
4	Overview of development at 3rd and P St NW <i>Reps from 11th Property Group will discuss BZA Cases No. 19439 (311 P Street) and 19440 (1502 3rd Street)</i>	Jay Gross, 11th Property Group	7:40- 8:00
5	Councilmember McDuffie's Office Updates	TBD	8:00-

			8:10
6	Mayor's Office Updates	Hakeem Rogers	8:10-8:20
7	Application for Liquor License: 301 P Street NW <i>Tenants of the market at 3rd and P Streets NW have applied for a class B liquor license. License No.: ABRA-105293, Ambo, LLC. At this meeting we would like neighbor input so that a vote on whether to support or oppose the application can be conducted at the March 6, 2017 meeting. Link below</i>	Kate Mevis	8:20-8:30
8	ANC Commissioner Updates	Bradley Thomas, Katherine McClelland	8:30-8:45
	Happening NOW!: <i>The Triangle Known as Truxton Circle</i> Jan 13-Feb 17 at 410 Florida Avenue NW		

**Item 3: Proposed resolution language for BACA consideration:**

Be it resolved that the Bates Area Civic Association (BACA) supports the appellant, Richardson Place Neighborhood Association (RPNA), in its appeal of two permits issued by the Department of Consumer and Regulatory Affairs to applicant OTD 410-412 Richardson Place LLC (doing business as Oaktree Development, LLC) for the construction of two adjacent “flats” at 410 and 412 Richardson Place, NW. The subject properties are located within the boundaries of the Bates Area Civic Association. BACA voted on Monday, February 6, 2017 to support this appeal after a lengthy discussion, led by members of the RPNA, which represents homeowners in the immediate vicinity of the project.

During the February 6, 2017 meeting of the BACA, Appellant explained its position that the recently announced use of the project—which is occupation and management by a “co-living” startup—is not a use that, given the size of the project, may be built as of right in an R-4 Zone. While we believe such a project could provide a positive contribution to the neighborhood, we also agree with Appellant that the use is one that, on account of its substantial impact on the neighborhood in terms of increased density and potential spillover on parking, should have been pursued by seeking a variance and, consequently, the input and views of the neighborhood on how best to mitigate its impacts. For these reasons, we support RPNA’s Appeal and urge the ANC to take necessary actions to protect the interests of our members.

**Item 7: Link to ABRA liquor license application notice for 301 P Street NW:**

<https://abra.dc.gov/sites/default/files/dc/sites/abra/publication/attachments/ProtestNotices232017.pdf>

Thank you,

Kyle Thomas

--

*Washington DC 20001*

(c) [202.570.2705](tel:202.570.2705)



## **Bates Area Civic Association Meeting – February 6, 2017**

### **Meeting Minutes**

The meeting was called to order at 7:02 PM.

#### MPD Update

- Crime stats: Burglaries are occurring during the daytime going through unlocked doors/robberies; on North Capitol, people are ordering deliver food and theft from autos
- There has been a move to sector concept so the crime stats are a bit off -- now there are three Lieutenants so that there is always a lot on duty and always overseen by a Captain
- Weren't for the arrest of the person involved in the Jam Dong case
- Package thefts -- make sure to have package delivered to the Fed Ex holding facility

#### Richardson Place Resolution

After a brief recap of the meeting minutes approximately 26 individuals voted in favor of a BACA resolution supporting the Richardson Place appeal. No one opposed.

#### Residential Development at 311 P Street, NW and 1502 3rd Street, NW

Architect presented an overview of the project and explained that there will be two separate structures.

- The developers are looking for two variances.
- On 3<sup>rd</sup> Street, the street wall will be maintained with an iron rod fence, but the will be set back from the street.
- Parking will not be available on site.
- BACA residents expressed concern about lack of parking on the street, as well as a request for color renderings of the project.
- The zoning hearing will be March 8.

#### Council Member McDuffie

Council Member McDuffie stopped by the BACA meeting. He took questions for over 30 minutes. (Thank you, Council Member!)

- Explained that the conversations on Capitol Hill and within the Administration with respect to sanctuary cities and the travel ban, as well as the City's budget is incredibly problematic and disturbing;
- Performance oversight season is underway and the Council is set to review performance of the city – the CM encouraged people to testify at the public hearing March 16;

- The CM met with DDOT to discuss the intersection of North Capitol and Florida and is still waiting to hear back about plans to spend the \$250,000 to improve the intersection. They did not discuss the recent announcement about plans to close off North Lincoln Road;
- The CM was asked about single sale liquor licenses and he responded that he is interested in more information about the effectiveness of a moratorium before pushing for legislation to ban the single sale of liquors.
- A BACA resident raised concerns about DCRA and DDOT communicating, particularly about a property that is under development on 3<sup>rd</sup> street.
- The CM discussed his interest in holding police officers accountable by establishing a “beat book” at local businesses to increase visibility;
- After a BACA resident expressed concerns about dilapidated schools on P street - rodents, drug use, crime, etc., the CM suggested that there should be a creative way to have interim use or at the very least buildings need to be maintained -- CM suggested that he would bring up the school site with the deputy mayor about moving the school to economic development. An active discussion about policing ensued- need for MPD to be more actively engaged in the community -- getting out of their cars and engaging with businesses and residents.

#### Market on the Corner of 3<sup>rd</sup> and P Street – Application for a Liquor License

The owner’s representative explained that they are seeking a Class B liquor license, but also explained that the owner would like to develop a higher end market with coffee and a butcher.

- BACA residents engaged in an active discussion about the corner currently, including: crime, litter, loitering, noise, urination, public intoxication.
- There was a question about the value of another liquor store in the community.
- Individuals expressed concern about the sale of liquor in such close proximity to so many schools.
- The ANC will vote on the request 2/21 and there will be a hearing in April before ABBRA.
- BACA voted to protest the request for a license.

#### Commissioner Thomas

- ANC will be voting on 311 P street at 2/21 meeting at Friendship Armstrong charter school
- Elections held last month - new officers: Commissioner Thomas is the new Chair of the ANC
- Norton in the neighborhood: Rep Norton will be at friendship Armstrong from 6-8pm
- Reminder: Rock and roll marathon in March and will pass through our neighborhood

#### Commissioner McClelland

- Council member Bonds include low income housing into projects

The meeting adjourned at 8:50 PM.

**Supplemental Exhibit 3 (S-3)**

*Couples at Common*, by Hadas Ben-Tsur (Feb. 13, 2017)

# Couples at Common

Posted February 13, 2017 by Hadas Ben-Tsur

*For Valentine's Day, we're checking in with just a few of the many couples that live at Common. What's it really like to live with your significant other plus several suitemates? We spoke to three couples living in Common homes in San Francisco and Brooklyn.*

Shares



## MEET MAFALDA AND REINO, LIVING IN CROWN

Stay up-to-date with everything home, coliving, and Common.



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Subscribe Now



**Coming From:** South of France (Mafalda), South Africa (Reino)

**Time in NY:** 1 year

**Time at Common:** 7 months

**Home:** [Common Albany \(http://www.common.com/albany\)](http://www.common.com/albany)

**Mafalda** works in banking

**Reino** is a SAP technical consultant

**Hobbies:** Travelling and discovering new countries, cultures, and restaurants.

Horse riding and sailing, competitive PC gaming, golfing, and pool/billiards.

**NYC Discoveries:** Murray's Cheese, East Village Cheese and the many rooftop bars in Manhattan and Williamsburg.

## MAFALDA AND REINO'S STORY

**Mafalda:** Our move was complicated with Reino leaving his country for the first time and myself going back to France then coming to New York. Common gave us the flexibility and ease to move without having to worry about finding a temporary place for 2 weeks and a permanent place. I had to deal with this process in Chile and South Africa and often the limited time you have to find THE place makes it stressful and you end up finding a place that is not what you wished for.

I guess moving into Common had a risk but it was worth taking! We also wanted to make friends (preferably Americans) so what better way than to share a house. We now are a family within a bigger family!



**Reino:** I don't feel like I can really add any more to Mafalda's answer, except to maybe highlight again how easy it was to move into Common. If you look at all the stresses involved in



uprooting your life and moving to a new country, moving into Common was completely stress-free.

Not only that, the chance to instantly meet new, friendly, like-minded people that make you feel part of a community, made a huge difference. My mom told me, before leaving for the US, that it's easy to feel alone in a big city, and Common solved that problem.

**Mafalda:** I would say that living at Common as a couple is not different than living as a single person. If we want privacy, we have our room. The great thing is also the fact that we have our own bathroom.

Community wise, living at Common gives us some space if we need it! Reino can watch soccer with the guys and I can chat with the girls whenever I want to!

**Reino:** I don't really think I can add anything else to this. It's so easy!



**Mafalda:** Out of all the events we've attended as part of the Common community, I don't think I can pick a favourite, but I think our Sunday brunches make Common Albany feel like home to us! **Reino:** I also love the Sunday brunches. The cocktail class we had recently was great! Ben, from Common Pacific (<http://www.common.com/pacific>), organized it well and used his budget well. We got to learn how to make some classic cocktails, and just drink, laugh and enjoy each other's company.

The impromptu get-togethers we've had at Common Albany are some of my favorite "events." People randomly get back from work, have a drink, and before you know it we are still

hanging and having fun at 2am, or watching a movie or tv show together.

*Fun Facts we discovered through this chat? Reino is fluent in English, Afrikaans, and German. Mafalda competed in Rhythmic Gymnastics from ages 6 to 18.*

**MEET ANGELA AND CHELSEA, LIVING IN  
WILLIAMSBURG, BROOKLYN**



**Coming From:** San Diego (Angela) Santa Fe (Chelsea)

**Time in NY:** 3 months

**Time at Common:** 3 months

**Home:** [Common Havemeyer \(http://www.common.com/havemeyer\)](http://www.common.com/havemeyer)

**Angela** works in Theater and Film

**Chelsea** is a Professional Dancer

**Hobbies:** Angela- hockey, Chelsea- learning French

**NYC Discovery:** Dō, a place like an ice cream shop, but instead you get scoops of cookie dough! The future is now!

## ANGELA AND CHELSEA'S STORY

Moving to New York was a little daunting and we chose Common because it made it easy. We liked that there was no broker fee and for the price of our rent, so much was included. It has been great to move into such a nice, furnished apartment while we get settled in the city.



The events at Common are great for us, as a couple, to make mutual friends. It's also awesome that we have professional cleaners come in once a week, so we don't have to worry about splitting up chores in the shared spaces. Nice thing to not have to worry about in a relationship. 😊



We absolutely loved going ice skating at Prospect Park before the holidays. It was fun to meet people from all the different houses with such a laid-back and fun activity. We have been skating at many different rinks on both coasts, but that one was pretty great.

## **MEET DIANNA AND MICAH LIVING IN SOMA, SAN FRANCISCO**



**Coming From:** Their hometown in Texas

**Time in SF:** 1 year

**Time at Common:** 4 months

**Home:** [Common Minna \(http://www.common.com/minna\)](http://www.common.com/minna)

**Micah** is a professional sales trainer

**Dianna** manages [Sparking Young Duo \(http://www.sparkingyoungduo.com\)](http://www.sparkingyoungduo.com), their couple's lifestyle and travel blog

**Hobbies:** photography, cooking, and coffee drinking 😊

**SF Discoveries:** Hiking Lands End, Sam Wo, Dandelion Chocolate, and Sightglass

## DIANNA AND MICAH'S STORY

Choosing to live at Common was simple, because of how convenient it was. With everything furnished and included along with the community, Common made it easier for us to meet people in a city where we knew no one. It also seemed to have a good amount of privacy for “shared housing” as well and has proven to be a great choice!





The best part about living at Common as a couple is it makes it easy to have friends outside of work and a fun community of people to hang out with, but still get plenty of “us” time. Living at Common as a couple you would think it would be difficult to have privacy, but Common has been such a perfect balance for us.



Our favorite event at Common has been [Friendsgiving \(https://www.common.com/blog/2016/11/friendsgiving-coast-to-coast/\)](https://www.common.com/blog/2016/11/friendsgiving-coast-to-coast/). It was so much fun to see everyone come together and bring things that related to their different cultures. It was also special to Micah and I, because it was the first holiday we had spent away from family. Having friends to gather with was super nice.

*Couples at Common enjoy their own space with the opportunity to join the community whenever they want. Couples looking to live at Common can choose from many homes in both San Francisco and New York. At our newest home in Brooklyn, [Common Baltic \(http://www.common.com/baltic\)](http://www.common.com/baltic), couples can enjoy even more private space in a studio or one bedroom apartment. To learn more about the Common community, request a call [here \(http://www.common.com/apply-form/\)](http://www.common.com/apply-form/).*



**Supplemental Exhibit 4 (S-4)**

*Private, Shared, and Community Spaces at Common, by*

Danielle Robin (Feb. 11, 2017)

# Private, Shared, and Community Spaces at Common

Posted February 11, 2016 by Danielle Robin

One of the most exciting things about growing the network of Common homes is that we get to try new things: new neighborhoods, building layouts, furniture, and art. New people with new ideas to contribute to our community. New traditions and new memories. But there are some elements of the Common home that remain constant, one of which is the existence of **private, shared, and community spaces** in each of our homes. Each of these spaces is essential to the success of shared housing.

## Private

People often ask us how many people are in a bedroom at Common. They are happily surprised to hear that everyone at Common has their own bedroom, either for a single person or a couple. This is a common perception about co-living that we would like to really turn on its head, that all spaces are shared. We believe that a private space for each member is absolutely essential to a thriving shared housing environ-

ment. In order to be a positively contributing community member, there needs to exist a balance between time alone and time spent with others.

Private spaces are decorated simply, as we prefer to keep more amenities in the shared and community spaces so that members enjoy them together. Members are encouraged to decorate their own rooms and build off of the core furniture we provide.



Private spaces at Common

## Shared

Common homes are divided into suites, which range from two to five bedrooms. Within a suite, there are shared spaces, including but not limited to kitchens, bathrooms, couches and coffee tables, breakfast nooks, and storage space.

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Building community at Common doesn't happen overnight. We believe that the secret to creating a thriving home of 10, 20, or 50 individuals is to first build community on more intimate levels, and shared spaces allow us to do this. We encourage suites to develop their own culture and traditions using that smaller shared space as a home base. In our Pacific Flagship Home, viewing *The Bachelor* is a tradition in one suite, and *Shark Tank* is a ritual in another. While members

live in their own suites, they often move throughout the homes and visit other suites for movie marathons, happy hours, or other casual pop-up events.



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## Community

Every Common home has a place where all of its members can come together, and where other Common members can also spend time. It's important to note that members have access to community spaces at each Common home, which means that a member living in the Pacific Flagship can access the game room at the Albany Flagship down the road, and the Albany members can use the Pacific dining room.

We are constantly looking to our members to learn what they would like to see in future community areas at Common homes. A screening room, wellness studio, and lounge/study area are all just around the corner. We also value outdoor community spaces and take great care to create backyards, patios and rooftops that feel like living rooms. The goal is that every member at Common could find a space that is suitable for an event he or she would like to lead for the community, whether that be a speaker series, cooking class, or film night.



Community spaces at Common

At Common, we invite members to truly live in community. It is the interplay of private, shared and community spaces that allow for this to be possible, as we believe that community is truly created and cultivated at these different levels.

Want to tour one of our spaces and learn more? [Apply here](https://www.hicommon.com/blog/apply-form/) (<https://www.hicommon.com/blog/apply-form/>).





**Supplemental Exhibit 5 (S-5)**

*Common Baltic: An Expanded Vision of Community Living*, by Common CEO Brad Hargreaves (Dec. 19, 2016)

# Common Baltic: An Expanded Vision of Community Living

Posted December 19, 2016 by [Brad Hargreaves](#)  
(<https://www.common.com>)

I am pleased to announce our newest and largest home yet: [Common Baltic](http://www.common.com/baltic) (<http://www.common.com/baltic>). It will be home to upwards of 135 members in Boerum Hill, Brooklyn and will open this winter. I'm especially excited to see this home come to life, as it's a little different than any we've opened to date.



 common  
(<https://www.common.com/blog>)

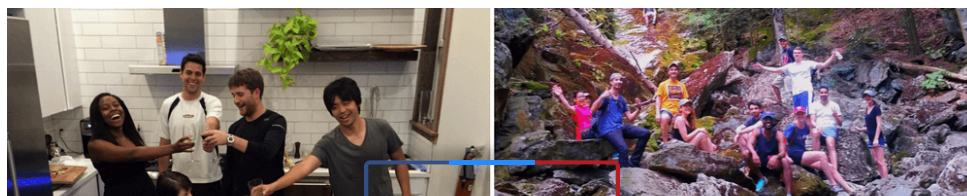
A preview of Common Baltic in Boerum Hill, Brooklyn.

Since Common was founded a year ago, we've been a standard-bearer for coliving, which has typically meant private bedrooms that share a kitchen and living area. Over the past year we've grown into a passionate community of over 120 members living in our coliving homes in New York and San Francisco, with a new home soon to open in Washington, DC.

326  
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Our vision is to create communities where people know their neighbors. This encompasses coliving but is not exclusive to it – knowing your neighbors doesn't necessarily mean you share a bathroom with them. We meet a lot of people who want Common's community and our dedication to creating a great member experience, but also the larger private space they'd get in a more traditional apartment. In fact, Common's most popular rooms available are designed for couples and feature private bathrooms, and a significant number of couples live in Common.

206



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Members toasting one another in San Francisco, celebrating during a hike at the [Berkshires](https://www.common.com/blog/2016/08/common-at-the-berkshires-community-destination-event/) (<https://www.common.com/blog/2016/08/common-at-the-berkshires-community-destination-event/>), and grabbing lunch in their backyard in Crown Heights, Brooklyn.

At Common Baltic, we'll be able to meet this need even more directly. In addition to the 70 members living in coliving suites, we will be opening 67 Common studio and one-bedroom apartments. Like any other studio or one-bedroom, Common apartments feature more private space, including a private bathroom and kitchen.

As more and more of us pack into already dense cities, we feel more socially isolated than ever. By including a variety of apartment layouts, we are able to bring our brand of community to a broader group of people. Living in Common means that you won't only know your neighbors, but you'll have a group of people you can laugh, cry, and kick back with – all next door.

Members moving into Common studios and one-bedrooms will be Common members just like our coliving residents. They will join through our [seamless online onboarding process \(https://www.common.com/blog/2015/11/how-we-onboard-members/\)](https://www.common.com/blog/2015/11/how-we-onboard-members/). They'll use Slack, our [online chat and community app \(https://www.common.com/blog/2016/01/how-common-uses-slack-2/\)](https://www.common.com/blog/2016/01/how-common-uses-slack-2/). They'll have optional access to Common conveniences including weekly cleaning, shared supplies, and furnishing. And most importantly, they'll be part of our community.

Like all our homes, Common Baltic will feature [House Leaders \(https://www.common.com/blog/2016/07/happy-home-happy-community/\)](https://www.common.com/blog/2016/07/happy-home-happy-community/) on every floor to encourage members get to know each other and host their own events and gatherings. We are excited to create programming that includes

Common staples, such as book club, movie nights, wine and paint night, and outings to support local small businesses. We'll look to our new members at Common Baltic to create new traditions and continue to shape the community.

We'll be releasing more information on Common Baltic in the coming weeks. In the meantime, we're very excited to take the idea of knowing your neighbors to the next level by opening our community to an even wider audience.



**Supplemental Exhibit 6 (S-6)**

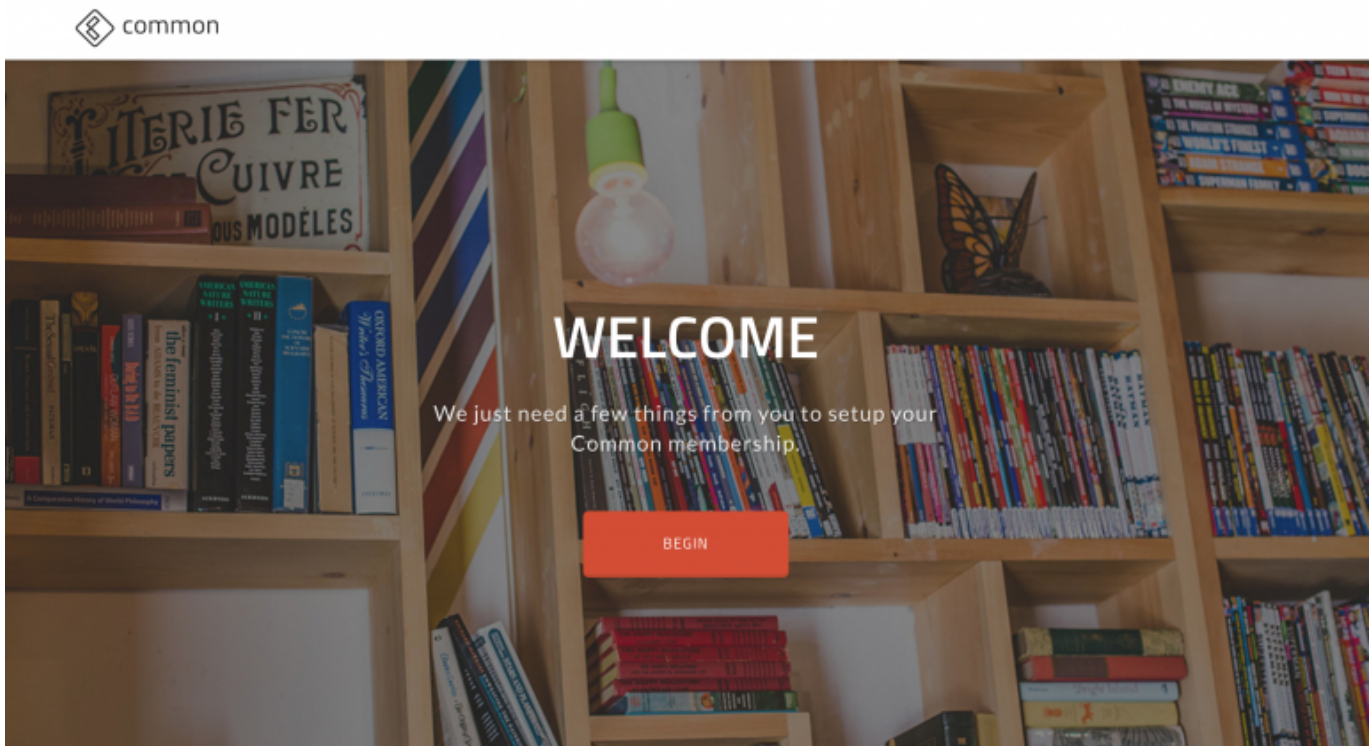
*Behind the Scenes – How We Onboard Members*, by Joel  
Clay (Nov. 16, 2016)

# Behind the scenes – How we onboard members

Posted November 16, 2015 by [Joel Clay](http://blog.hicommon.com) (<http://blog.hicommon.com>)

*An inside look at how we designed the membership onboarding experience at Common.*

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<https://www.hicommon.com/blog/wp-content/uploads/2015/11/Screen-Shot-2015-11-13-at-11.50.35-AM.png>

At Common, we've set out to improve the way we live together by providing fully furnished homes with flexible month-to-month terms at an all-in-one price. As we built out our first

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After being interviewed and accepted, one of the first experiences a member has with Common is the onboarding process — where they choose a suite, electronically sign membership agreements and make their first payment. We've eliminated broker fees, credit checks and complicated lease agreements in favor of a simplified process that takes less than 10 minutes to complete. Here's an inside look at how we onboard our members.

## Choose your suite

All Common members live in private rooms within suites of multiple roommates. After choosing a suite, we showcase high-quality photos of available rooms in the suite with our all-in-one pricing. This makes the process of splitting the cost of the suite with roommates straightforward and easy.



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The screenshot shows a web interface titled "Select a Room" with a sub-header "Step 2 of 2". It features three room cards:

- California-laurel**: \$1550/Month. Includes all Utilities and Common Membership Fee. A "Select Room" button is visible.
- Larch**: \$1650/Month. Includes all Utilities and Common Membership Fee. A "Select Room" button is visible.
- Locust**: Currently Occupied. A "Room Not Available" banner is at the top of the card.

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No utilities, no broker fees, no surprises. We designed the checkout process to give a clear picture into what's due today and what's due next month.



## Check Out



Suite 1st Floor  
**Larch Room** \$ 1650  
1162 Pacific St. Crown Heights

All Utilities **Included**

Membership Fee **Included**

**Your Monthly Fee** \$ 1,650  
Future payments will be billed monthly starting November 1, 2015

**Security Deposit** \$ 1,650  
One time fee

**Today's Total Payment** \$ 3,300

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<https://www.hicommon.com/blog/wp-content/uploads/2015/11/screenshot-localhost-3000-welcome-checkout-1447701953523.png>

## Joining the community

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## Congratulations!

It's time to move into your new home.



Suite 1st Floor  
**Larch Room**  
1162 Pacific St. Crown Heights

Next Monthly Payment Processed On  
November 1, 2015

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Need more information?  
Please don't hesitate to [contact us](#) for help.

<https://www.hicommon.com/blog/wp-content/uploads/2015/11/Screen-Shot-2015-11-13-at-2.09.57-PM.png>

All set to move in! Payments are processed securely every month, so there's no worrying about arriving with a checkbook or forgetting to pay rent. Members show up on the scheduled move-in date and are greeted by our community manager.

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Want to work with us? We're looking for a designer

<https://jobs.lever.co/common/1544d188-0142-4e90-80c8-366bdaace121> who can create aesthetically pleasing products both online and in our physical spaces.



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**Supplemental Exhibit 7 (S-7)**  
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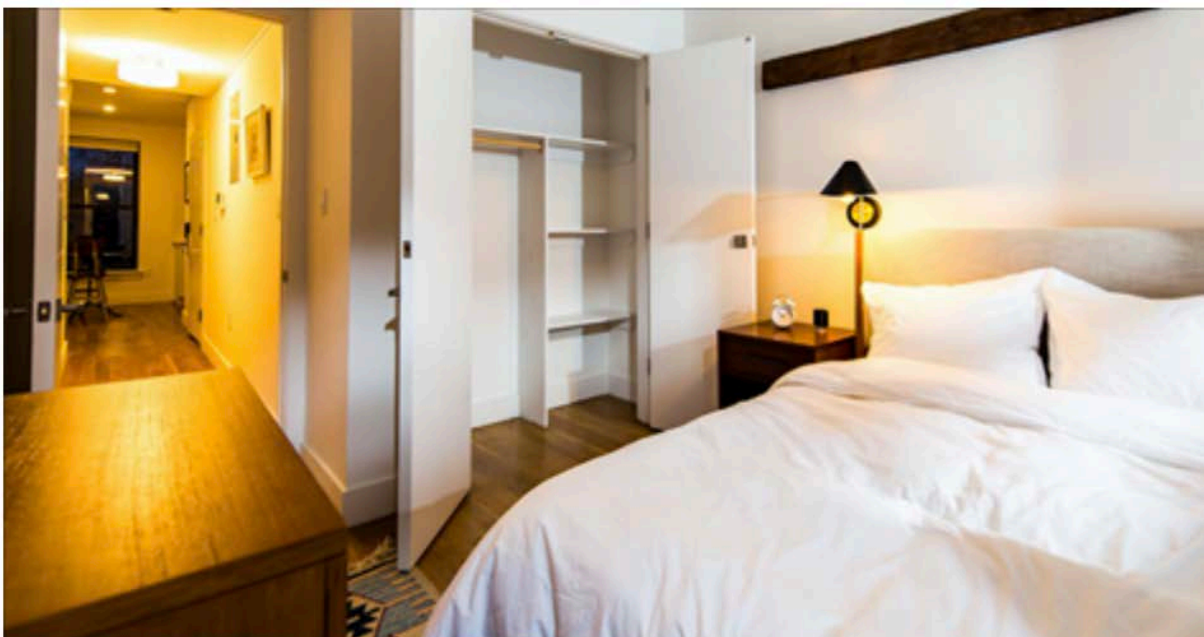
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Our partners are reviving urban neighborhoods around the country. Together, our ideas, projects, and events are helping build stronger, safer, and more vibrant communities.

[HTTPS://WWW.COMMON.COM/](https://www.common.com/)

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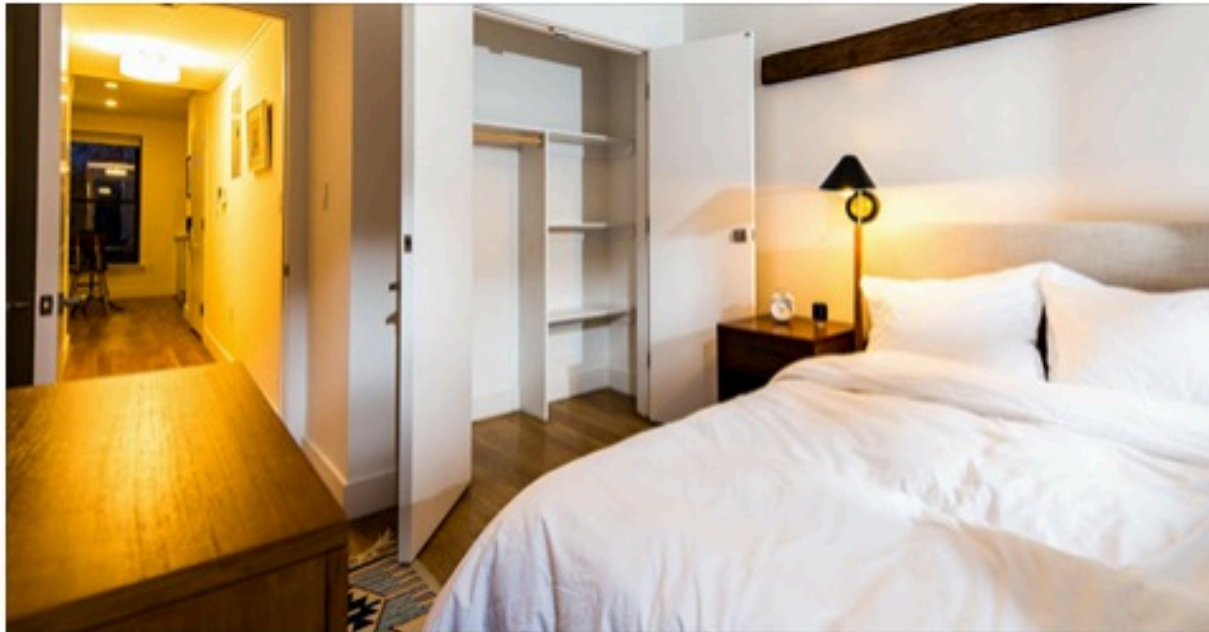
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