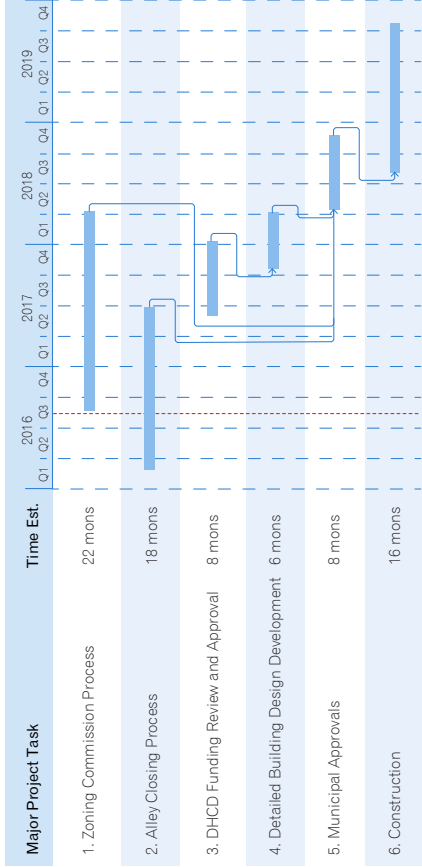
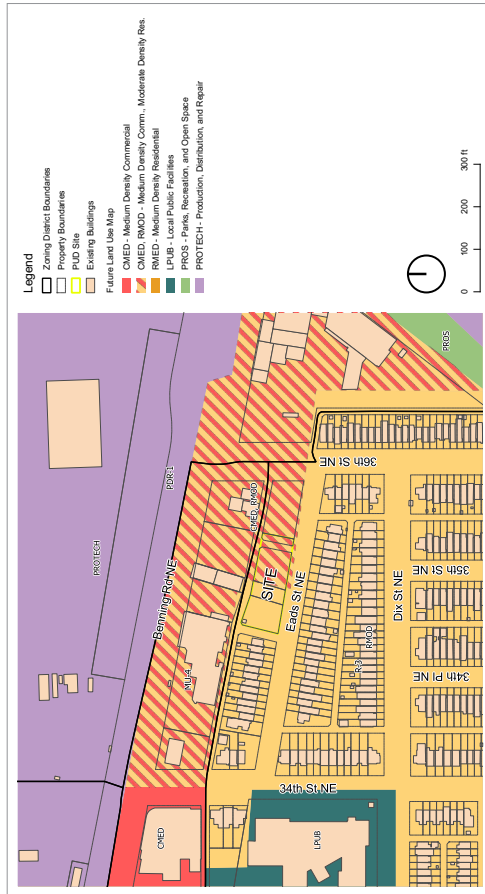


# Property and Project Background

## Land Use Policies and Schedule



Neighborhood Context



Schedule

### Benning Road Corridor Plan Redevelopment Framework Plan

Opportunity Site 2C - Proposed Use: "Potential development of mixed income housing with small retail and services to support the existing residential community" Pg. 54

Boundary of Opportunity Site 2C as defined on page 51 of Benning Road Corridor Plan Redevelopment Framework Plan.

Boundary of Eads Street NE project site, as proposed.

**PG 54**

Address	Parcel Area (sq ft)	Current Zoning	Current Land Use	Proposed Use	Proposed Development Density
3450 34th St NE	65,000	C-2A R-3	Commercial	Residential	100 units per acre

**PG 54**

Address	Parcel Area (sq ft)	Current Zoning	Current Land Use	Proposed Use	Proposed Development Density
3450 34th St NE	65,000	C-2A R-3	Commercial	Residential	100 units per acre

Small Area Plan

# Land Use Policy and Existing Zoning

## 3450 Eads Street NE

August 2016

# Property and Project Background

## Public Benefits



### What are they?

Public benefits are superior features of a proposed PUD that benefit the surrounding neighborhood or the public in general to a significantly greater extent than would likely result from development of the site under the matter-of-right provisions of this title.

### What criteria must they meet?

- Benefits shall be tangible and quantifiable items;
- Benefits shall be measurable and able to be completed or arranged prior to issuance of a certificate of occupancy;
- Benefits may primarily benefit a particular neighborhood or area of the city or service a critical city-wide need; and
- Monetary contributions shall only be permitted if made to a District of Columbia government program or if the applicant agrees that no certificate of occupancy for the PUD may be issued unless the applicant provides proof to the Zoning Administrator that the items or services funded have been or are being provided.

### Where should they apply?

A majority of public benefits of the proposed PUD should relate to the geographic area of the Advisory Neighborhood Commission in which the application is proposed.

### NDC Proposals Based on Subtitle X Chapter 3, § 305.5 of DC Zoning Code

1. *Superior urban design and architecture:* The project will provide superior urban design and architecture. NDC's intent is to develop a project that is context sensitive in terms of building materials and proposed building type.
2. *Superior landscaping, or creation or preservation of open spaces:* The project is currently proposing a front yard setback along Eads Street NE to enable landscape improvements consistent with the District Department of Transportation's Public Realm Design Standards.
3. *Housing that: Exceeds the amount that would have been required through matter-of-right development under existing zoning; includes senior housing; or provides units with three or more bedrooms:* The project will exceed the amount of housing required/permitted through matter of right zoning. NDC has considered the option of Senior Housing and would be open to exploring this as a part of our development program. The preliminary unit program anticipates providing units with three or more bedrooms.
4. *Affordable housing:* The project will serve Area Median Income ranges at deeper levels of affordability and at higher overall concentration rates. The entire project will be affordable for residents making less than 50% of the Area Median Income (AMI) for the Washington Metropolitan Statistical Area. However, a proportion of all proposed units will serve individuals with incomes as low as 30% AMI.
5. *Building space for special uses:* NDC has incorporated into preliminary plans a potential community serving space that could be programmed in accordance with special uses. However, there has been no discussions to date about the programming of this space.
6. *Environmental and sustainable benefits:* NDC is anticipating incorporating sustainable design tactics into the project, including a superior building envelope and other tactical approaches that will enable the project to secure Enterprise Green Communities certification.
7. *Streetscape plans:* As previously indicated, the project is currently proposing a front yard setback along Eads Street NE to enable landscape improvements consistent with the District Department of Transportation's Public Realm Design Standards. These improvements will include storm water management.

## 3450 Eads Street NE

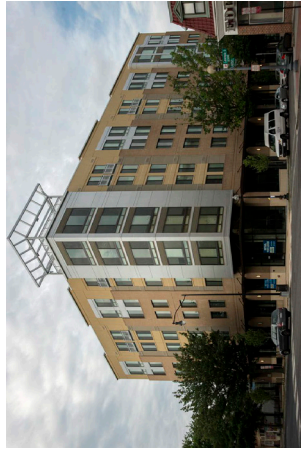
August 2016

# Property Management

DC Affordable Housing Examples and Management Practices



32Thirty-two - NDC Project



Residences at 4100 - NDC Project



3 Tree Flats



## Management Practices

### Tenant Selection

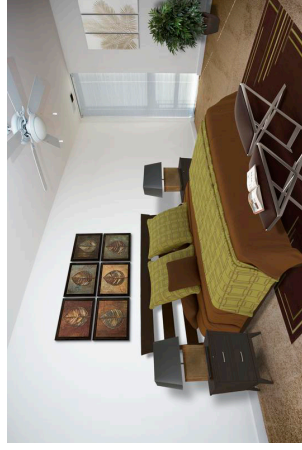
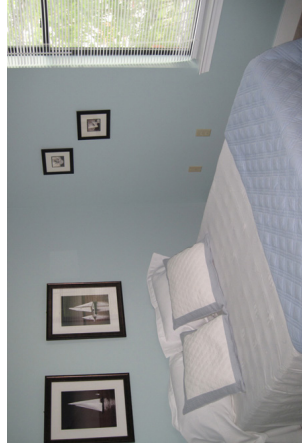
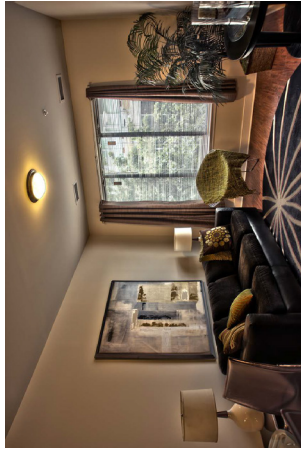
- Positive Credit History
- Positive Rental History
- Successful Criminal Background Check
- Qualifying Household Income (Generally a 35%-40% Rent to Income Ratio)
- ResidentialOne observes an Equal Housing Opportunity provider and strictly adheres to all Federal and DC statutes regarding Fair Housing and non-discrimination.

### General Operating Practices

- Hire and Train Quality Personnel at Every Level
- Maintain an On-Site Management Presence
- Provide Exemplary Customer Service
- Maintain Clean, Quality Housing for Our Residents
- Implement and Maintain Appropriate Security Measures, Including Controlled Access Buildings, Video Camera Systems, Personnel as Needed, etc.
- 24/365 Emergency Maintenance Service
- Initiate Resident Services Programs
- Contribute to and Become Part of the Greater Community
- Maintain Positive and Cooperative Community and Governmental Relationships

### ResidentialOne's Washington, DC Residents

- Typically Earn Between \$33,000 and \$65,000 per Year (Household Income based on 1-4 persons)
- Move-Out at a Rate of 20% or Less Per Year (DC Average is 45%) – This Equates to Greater Neighborhood Stability and Sense of Community
- Buy Homes and/or Move Out of the Area Post-Residency



## 3450 Eads Street NE

August 2016

# Property and Project Background

Public Benefits and General Considerations



## 32Thirty-two - Resident Lounge



### Resident Lounge Features

- Approximately 650 sq. ft.
- Includes kitchenette, washrooms and televisions
- Approximate capacity 30 persons

## Public Benefit Options Resulting from 2016-08-17

- A. Portion of overall housing units would target senior citizens
- B. Special use area within building for use by River Terrace residents and building residents for community meetings and events (~1,200 s.f.)
- C. Payment to DGS to establish fund to cover future community meetings and events at River Terrace Education Campus
- D. Social service element within the building dedicated to senior wellness
- E. Improvements or payments for improvements related to a dog park

## Additional General Development Considerations

- A. Ensure construction truck route and site utilization plans minimize impact on surrounding traffic patterns and parking
- B. Coordinate plans for construction worker parking to minimize negative impacts on neighborhood on-street parking
- C. Follow construction staging approaches that minimize disturbance (i.e., noise and vibration) of surrounding properties
- D. Consider integrating car-sharing within the project, once complete, to improve transportation options to new and existing residents
- E. Confirm structural feasibility of conversion of 5th story to brick facade

**3450 Eads Street NE**

**August 2016**

# Attachment K

Full Name	Address	Phone	E-mail
Margaret Pemberton	3345 Baker St NE	202-388-645	
Rae N. Allen	239 33rd St, NE	202-399-2939	
Charles Barksdale	235 34 St N.E	(202) 399-0650	
Yvonne Neal	136 33 <sup>rd</sup> St NE	A) 397-8405	
Earlen Cunningham	3368 Blaine st. NE	399-6798	
Deanne Howard			
Hesha Mack	323 35th St NE		
Beverly Epps	315 - 35 <sup>th</sup> St NE	399-713 J	
Dense Abbott	3365 Bunker Ave	(2) 398-8099	
Wanda Woods	3338 Clay Pl. NE.	571-246-6098	wsjndjz@gmail.com
KHLOI	3012 DIX STR	202-428-1118	
Tyler Anderson	3332 clay str.	302-458-8105	Alynnmes3@aol.com
BRENDA ELLIOTT	3363 CLAY ST. NE	2/397-5164	
Michelle Hall	216 34th St NE		michellhallw@aol.com



3450 Eads Street NE - Sign in Sheet  
 August 17<sup>th</sup> Open House

Full Name	Address	Phone	E-mail
Margie N. Tucker-Went	318-35 <sup>th</sup> ST. N.E.	202-399-7916	---
Judy Brown	3350 CLAY ST. N.E.	2/423-6783	---
Mary Mays	322-34 <sup>th</sup> PL. NE		
DOLORES SCOTT	3301 AMES ST.		
Veda Lewis	3448 Dix St. NE	2/399.7483	mygbaby58@gmail.com
Joyce Menger	403 34th St NE		juetset@gmail.com
WANDA WOODS	3338 34th Pl NE 571 246 6098	579 246 6098	wsjmdjz@gmail.com
BRENDA ELLIOTT	3363-Clay St. NE	2/397-5164	
Kim Harris	103 33rd St NE	---	Kimharris@gmail.com
Claude McKay	137 Anacostia Ave		
Carolyn Stokes	240-33rd St. NE	---	csfokes358@yahoo.com
David Howard	330 34th PINE	2404211057	DavidLeo2953@gmail.com
BHood	244 34th St NE		
MILDRED McCELLUM	3353 CLAY PL NE		

Full Name	Address	Phone	E-mail
Mildred Mitchell	315-34 <sup>th</sup> Pl. N.E	202-385-3292	
LETITIA WESTRAY	241 34 <sup>th</sup> ST., N.E.	202 399-3746	
Constance kabrey	3442 Dix St NE	2/294-1330	Concenzee@gmail.com
Claretha James	20-33rd st N.E	2/398-1447	
Cheryl Foster	321-34 <sup>th</sup> Pl. NE	2/399-0217	
Angie Banks	3331 Picken Pl NE	202-388-3076	
Jelani Burk	3340 Clay Pl NE		
R.B. Austin	3345 Baker St NE		rbaustrin@gmail.com
Debra Benson	3357 Clay Pl. NE	2/847-0993	grandmadiwa3@gmail.com

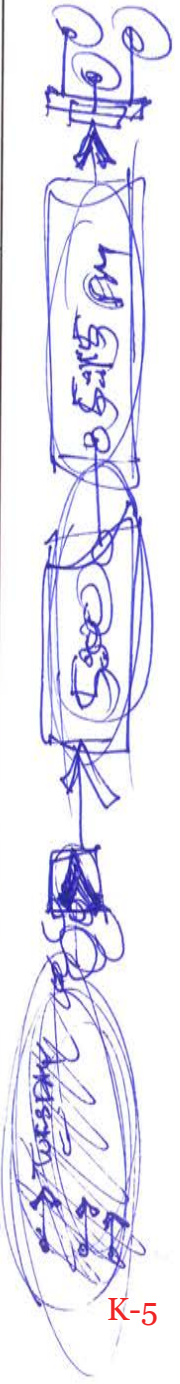




3450 Eads Street NE – Sign in Sheet  
 August 17<sup>th</sup> Open House

Full Name	Address	Phone	E-mail
Clara Claybrooks	22-33 <sup>rd</sup> ST NE	202 396 2849	
Ms Hazel Banks	3334 Alden Pk NE	202 399 8676	
Ms Bernice Banks	207 Anastasia Ave	202 396 5687	
Magretha Witt	318-35 <sup>th</sup> ST. N.E.	202-399-7916	
JULIETTE SMITH	107 ANACOSTIA AVENUE	202 603-4424	Juliettsmith@earthlink.com
MILDRED McCOLLUM	3323 CLAY PL NE		
JARA CUTLIFIELD			
COLLECE RICE	3459 EADS ST. NE		clcoe93@gmail.com

Full Name	Address	Phone	E-mail
Deborah Gimstead	former River Terrace		grokone@mac.com
Jacqueline Martin	308-34 <sup>th</sup> Pl NE		
Oliver Williams	218-34 <sup>th</sup> St NE		
Layo George			layo-work@gmail.com
JoAnne True	313-34 <sup>th</sup> Place, N.E.		
Rosa Lee	227 Anacostia Ave NE		rosarlee47@verizon.net
Wilbur Wp197	335 34 <sup>th</sup> St NE		
Shirley Womack			
Brenda Johnson			
Christine Sturdiant	3325 Baker St NE		
Michael Sturdiant	3325 Baker St NE		
Brandon Frazier	3335 Clay St NE		mbfrazier@gmail.com
Jaime Frazier	" " "		" " "
Cynthia Thornton	3425 Baker St NE	(2) 366-1175	Cj Thornton-Thorn ton@dot.gov


  
 See 10:51:15 AM



Full Name	Address	Phone	E-mail
Jorie Walker	100-33 <sup>rd</sup> St.		bruno04.jw@gmail.com
Linda Perry	102-33 <sup>rd</sup> St., N.E.	708-9100-8885	—
Ava Wilkens	1316 Pennilworth #10	202-320-7069	avawilkens@yahoo
Y. Mustafaa Madyun	505-34 <sup>th</sup> St. NE	202-735-1336	mmadyun@gmail.com



3450 Eads Street NE – Sign in Sheet  
August 27<sup>th</sup> Open House

Full Name	Address	Phone	E-mail
Robyn Butler	332 34 <sup>th</sup> Pl. NE.	(202) 656-5880	
Celeste Rice	3459 Eads St. NE		

# Attachment L

**3450 Eads Street NE**  
**PUD Community Benefits Meeting**

**Meeting Purposes:**

1. Understand ZC standard ANC procedures related to set-down application
2. Review NDC proposed process for community benefits resolution
3. Discuss NDC proposed process for community benefits resolution

**Agenda:**

1. Review ANC related Set-down Documentation
  - a. What is the set-down?
  - b. What does approval mean?
  - c. What is the procedure?
2. Review of Timing Considerations
  - a. NDC desired to be further along
  - b. We have a substantive benefits package
  - c. ANC support is not essential
  - d. ANC response must be policy focused
3. Review of Pairwise Ranking Approach
  - a. What is it and how does it work?
    - i. Overview of ranking
      1. Compare items one to one against one another
      2. Aggregate results of individuals mathematically
    - ii. Ranking is not voting – enables preference nuances
    - iii. Quantification of subjective questions
    - iv. Scalable
    - v. Fair and transparent
  - b. Why is it relevant/why this approach?
    - i. Faster resolution = faster access to benefits
    - ii. Provides a structured approach for future
  - c. What steps would we take?
    - i. Finalize list of “negotiable” options – Community and NDC
    - ii. Plan for circulation and completion of ranking sheet – Community and NDC
    - iii. Establish Tabulator – NDC and Community
    - iv. Compile results - Community
    - v. Report results and Ratify
4. Discussion regarding proposal for resolution of benefits
5. Next Steps
  - a. Set-down form – Schedule for 2016-10-11 Meeting for Submission by 2016-10-14
  - b. Community Benefits

**3450 Eads Street NE – Project Calendar Key Dates  
2016-09-23**

Outlined in the tables below are key dates for forthcoming actions anticipated to take place in relation to the Neighborhood Development Company’s proposed project at 3450 Eads Street NE.

Table 1 includes dates associated with the PUD Process. As the PUD scheduling process is very dynamic, most of the dates presented cannot be viewed as definitive. Therefore, a column is included to highlight which tasks are fixed and which are not. As this document is intended to be evolving over time, the fixing of dates may vary, depending on when the table is updated.

**Table 1: PUD Process Main Dates**

<b>ID</b>	<b>Task</b>	<b>Date or Date Range</b>	<b>Fixed</b>
1.	Closing date for ANC submission of set down Form 130	Fri 10/14/16	Yes
2.	Zoning Commission Set-down Public Meeting	Mon 12/19/16	No
3.	ANC Formal Vote on PUD Proposal	Tue 2/14/17	No
4.	ANC Hearing Participation Report Deadline	Mon 4/3/17	No
5.	ZC Public Hearing	Mon 4/10/17	No

Table 2 includes dates associated with the proposed process for resolving the local community benefits package associated with the project. These dates are preliminary in nature and are intended to provide a structure for when certain steps related to the resolution of the Community Benefits are to occur within the PUD Process Dates outlined in Table 1. Although preliminary, the ranges do reflect hard goals that NDC would like to work to achieve, to keep the project moving forward.

**Table 2: Public Benefits Resolution Timing**

<b>ID</b>	<b>Task</b>	<b>Date or Date Range</b>
1.	Discussion and Resolution of Approach to Public Benefits Resolution	Thu 9/22/16 to Wed 10/5/16
2.	Resolution of list of negotiable benefits	Wed 10/12/16 to Tue 11/8/16
3.	Distribution and completion of ranking sheets	Wed 12/7/16 to Tue 12/20/16
4.	Compilation of Results and Verification	Wed 12/7/16 to Tue 12/20/16
5.	Discussion of Results and Ratification of Conclusions	Wed 1/4/17 to Tue 1/24/17
6.	Action by ANC related to Benefits Package	Dependent on scheduling of Item 3. In Table 1 above

# Attachment M





Michael Giulioni &lt;mgiulioni@neighborhooddevelopment.com&gt;

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## AMI for the NDC Project

---

**Michael Giulioni** <mgiulioni@neighborhooddevelopment.com>  
To: Malissa Freese <malissfree@aol.com>  
Cc: claude.mckay@gmail.com, "McKay, Claude B. (SMD 7D04)" <7d04@anc.dc.gov>

Thu, Oct 6, 2016 at 9:02 AM

Hi Malissa and Claude,

Thanks for the follow up. I need to review the list with Adrian Washington to provide our feedback.

Right now, I can say that some of the items on the list are not viable, either due to their scale and/or their consistency with the criteria for Public Benefits included in the Planned Unit Development process.

I will complete a review and provide our direct feedback on the list and any conditions that may be necessary if we were to consider certain options, and options that we believe are inconsistent with the regulatory guidance and or simply infeasible.

Regarding the senior housing, where we stand on this is as follows: NDC does not want to include this item as a public benefit as a part of the PUD process; however, this would not preclude us from pursuing a project that targets seniors, when we start the process with DHCD.

I am available later today to talk, if one or both of you are available for a call. By that time, I should be able to provide feedback on the list. I'd also like to get your feedback on timing for resolution of the list.

I received an update from the Office of Planning, based on their preliminary review, they believe they will be able to have the set-down hearing sometime in November.

This would push up our date for resolving what goes on the list.

Is there a better time for both of you to have a call either later today or tomorrow?

Thanks for your help on this matter,

Michael

On Wed, Oct 5, 2016 at 12:05 PM, Malissa Freese <malissfree@aol.com> wrote:

Hi Michael -

Thanks for the info and sorry I missed you yesterday.

That is great about the senior housing - wow, 50%. Has a decision been made about senior housing? I do understand that it will skew the AMI chart.

I would like to talk with you about the survey when you have the time. Below is a copy of public benefits we have compiled so far and I'm trying to meet with Claude and Cinque later today to review and adjust.

- Apartments offered to seniors.
- An approximately 1200 sq. ft. room available for community use.
- Lump sum from NDC through DGS to be utilized by the River Terrace Community Organization for community activities.
- Structural monitoring during construction of the new apartment building of nearby neighbors' homes.
- Playground enhancements and maintenance money.
- Planning, designing, building and maintenance of a dog park.
- Senior center with programming and activities.
- Subsidy for a business to open a nearby daycare center.
- Building and maintenance of covered bus stops in River Terrace.
- Additional street lighting in River Terrace.

M-1

- River Terrace Museum for Native American Artifacts.
- Assistance in attracting quality retailers.
- Establish a fresh food (super) market.

I have seen some others for projects around DC and they are extensive and we are still trying to get neighborhood ideas.

Thank you again for the information and insight. Hope to speak with you soon.

Malissa

*Malissa Freese*  
203 33rd Street NE  
WDC 20019  
C: [202-271-1449](tel:202-271-1449)

-----Original Message-----

From: Michael Giulioni <[mgiulioni@neighborhooddevelopment.com](mailto:mgiulioni@neighborhooddevelopment.com)>  
To: Malissa Freese <[malissfree@aol.com](mailto:malissfree@aol.com)>  
Sent: Tue, Oct 4, 2016 2:38 pm  
Subject: Re: AMI for the NDC Project

Hi Malissa - attached is a copy of the table presented at the Open House, which as of right now, reflects the most up to date distribution of units based on the 30% and 50% AMI levels: no units will be above 50% AMI.

If you need the table explained at all, or reformatted, I'd be happy to do so.

Please also note: we have confirmed the requirements in relation to the Senior Housing focus for the project. There appears to be no issues with including this as a part of our public benefits package; however, today NDC's CEO and I are supposed to resolve whether it's something we can offer.

If we were to dedicate a portion of the overall units to seniors (it would be 50% of all units) we would likely change the types of units and the quantities, so this would affect the attached table. The general distribution would probably be similar, in terms of proportion of 30% AMI and proportion of 50% AMI, but the whole number of units will likely change as well as the types (e.g., more 1 brms. than 2 brms.).

Regarding the survey, as discussed at our meeting, NDC is quite flexible when it comes to the final resolved benefits package; however, we can only commit to benefits that fall within a defined set of parameters that are achievable under our development program.

It would be in everyone's best interests if I was able to review the list to ensure there is nothing on it that NDC cannot commit to.

If options are included, that we cannot deliver on, it would not serve anyone's interest. (Whether we think they are good ideas or not.)

If you're available later today, I'd be happy to talk further about your next steps on the survey.

Please advise if you would like to do so.

Michael

On Tue, Oct 4, 2016 at 2:17 PM, Malissa Freese <[malissfree@aol.com](mailto:malissfree@aol.com)> wrote:

Hi Michael -

We are getting our survey together for distribution to the neighborhood. Is it possible to get the proposed AMI numbers for the 3450 Eads Street NE Project?

Thanks.

Regards,

M-2

Malissa

Malissa Freese  
203 33rd Street NE  
WDC 20019  
C: [202-271-1449](tel:202-271-1449)

--

Michael Giulioni  
Project Manager, Pre-development | Neighborhood Development Company  
o: [\(202\) 567-3215](tel:202-567-3215) | m: [\(202\) 352-2233](tel:202-352-2233)  
3232 Georgia Ave NW, Suite 100 | Washington, DC 20010

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Michael Giulioni  
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o: [\(202\) 567-3215](tel:202-567-3215) | m: [\(202\) 352-2233](tel:202-352-2233)  
3232 Georgia Ave NW, Suite 100 | Washington, DC 20010



Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

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## AMI for the NDC Project

---

Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

Fri, Oct 7, 2016 at 5:17 PM

To: Malissa Freese <malissfree@aol.com>

Cc: Claude Mckay <claudemckay@gmail.com>, "McKay, Claude B. (SMD 7D04)" <7d04@anc.dc.gov>

Hello Malissa and Claude,

As discussed, attached is our feedback regarding the working list of benefits. I've also included a copy of the relevant regulations related to PUD review.

Also, as discussed with Malissa, I've included some specific information from the PUD submission package to provide more design details to members of the community, which is available through the following web-link:

<https://www.dropbox.com/sh/8seceiknleupj56/AABLxtjdSoiQGkFfgdUST5cxa?dl=0>

Please feel free to follow up with any questions.

Have a good weekend.

--

Michael Giulioni

Project Manager, Pre-development | Neighborhood Development Company

o: (202) 567-3215 | m: (202) 352-2233

3232 Georgia Ave NW, Suite 100 | Washington, DC 20010

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### 2 attachments



**Feedback on List of Benefits Provided - 2016-10-05 by RTCO & ANC Participants.pdf**

58K



**Subtitle X - General Procedures - Chapter 3 - Planned Unit Developments.pdf**

78K

**NDC Review of Working Public Benefits List for  
PUD Proposal at 3450 Eads Street NE**

**2016-10-06**

**Introduction:**

Outlined below is feedback from the Neighborhood Development Company (NDC) regarding the working list of Public Benefits that has been development in partnership with the local ANC and community organization (the River Terrace Community Organization or RTCO) in association with a Planned Unit Development proposal at 3450 Eads Street NE, Washington, DC.

This list supplements additional benefits being offered by NDC that serve broader municipal objectives (e.g., the provision of affordable housing) and that were included as a part of the PUD application submitted to the DC Zoning Commission (Case No. 16-20) September 15<sup>th</sup> 2016.

Presented below is both general feedback regarding the list and a table reviewing each of the identified benefits in relation to their feasibility as possible options to be included in future decision making.

**General feedback:**

In providing feedback on the list, NDC wanted to raise awareness regarding some of the key criteria within the zoning regulations related to Planned Unit Developments which are most relevant to the determination of the overall level of benefits that a project shall provide. Two of these key criteria, from Subtitle X, Chapter 3 Planned Unit Developments, are presented below.

These regulations, deal with the factors which the Zoning Commission shall decide upon a PUD application and the associated benefits.

- § X. 304.3 In deciding a PUD application, the Zoning Commission shall judge, balance, and reconcile the relative value of the public benefits project and amenities offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.
- § X. 305.11 The Zoning Commission may not compel an applicant to add to proffered public benefits, but shall deny a PUD application if the proffered benefits do not justify the degree of development incentives requested (including any requested map amendment). Nevertheless, the Zoning Commission may at any time note the insufficiency of the public benefits and suggest how the benefits may be improved.

Based on the project, as proposed, NDC is requesting development incentives, include the proposed map amendment, from R-3 to MU-7. Further, based on the specific characteristics of the project, we are also requesting flexibility from the rear yard, side yard, and lot occupancy and roof-top screening requirements. However, although NDC is seeking the outlined incentives their “degree” is, relatively speaking, quite limited.

With respect to the map amendment although seeking a change from the existing zone (R-3) to MU-7, NDC is not seeking to maximize the project’s potential under this zone district. As outline in the table below the proposed project is 9 ft. below the matter of right (MOR) height limit for the zone and under the MOR standard for Floor Area Ratio (FAR).

*Table 1: Comparison of Proposed Project with MU-7 Zoning Category IZ and PUD Allowances*

	<b>Proposed</b>	<b>MOR</b>	<b>IZ</b>	<b>PUD</b>
<b>Height Limit</b>	56 ft.	65 ft.	65 ft.	90 ft.
<b>Floor Area Ratio</b>	3.76	4.0	4.8	5.76

As proposed, NDC is not seeking any of the additional 20% inclusionary zoning (IZ) bonus. This additional floor area is actually intended to help facilitate the requirements for affordable housing – however, NDC is not capitalizing on them. Further, nor are we seeking to use any additional height or area granted specifically through the PUD regulations (up to 90 ft. in height and an additional 20% FAR on top of the IZ FAR).

With respect to the areas of zoning flexibility, these are also quite limited:

**Rear-yard:** The rear-yard relief is required due to NDC’s desire to make the front yard of the project more compatible with the existing neighborhood by setting it back, and to provide the proposed landscaping in the front yard, to the benefit of future occupants and the neighborhood. This is also consistent with direction provided from the Office of Planning. By setting the building back from the street as proposed (from 10-12 ft.), the building will need relief for the upper portion of the building in the same amount – from 10-12 ft.

**Side-yard:** The side yard relief is more of a technical relief requirement. NDC is not required to provide a side-yard on the east side of the building. However, as we are providing one, at the direction of the Office of Planning to provide a buffer from the alley, we are doing so to a minimum standard of 5 ft. Although this portion of the proposed building is only 3 stories, we are required to provide a side yard based on the main building height. This yard, based on that height would be 9 ft. 4 in. If the side yard were to be assessed based on the lower portion of the building, the requirements would be 7 ft. 10 in., which much of the site plan complies with. Lastly, this yard is actually also not located on an alley – which the zoning regulations do not contemplate. Therefore, in terms of light and air, the side-yard as proposed is not a nominal rare of relief in terms of meeting the provision of adequate light and air intentions of the zoning code.

**Lot occupancy:** NDC is requesting 1% of relief from the 80% standard. Most of the building (i.e., the taller portion) complies with the occupancy requirements. It is even possible, by the time the project reaches permit, that this relief is no longer necessary.

**Roof top screening:** Again, more of a technical relief requirement. NDC is proposing two separate mechanical units which will be above 4 ft. in height. These are required to be screened in a single enclosure. Although we will be providing screening, we will be screening each

enclosure separately as it will be most efficient to locate these two units away from one another, as they provide fresh air to the building’s common area.

### **Feedback on Proposed Public Benefit List**

With this general information in mind, NDC has outlined its position to the current list of public benefits to ensure that whatever list is further evaluated by the ANC and RTCO is made up of options that are viable in terms of the criteria of the zoning regulations and NDC’s proposed incentive requests.

*Table 2: NDC Review of 2016-10-05 List of Public Benefits*

<b>ID</b>	<b>Proposed Public Benefit</b>	<b>NDC Feedback</b>
1.	Apartments offered to seniors	Dedicating a portion of all units for Senior Housing is <u>not</u> something NDC can commit to as a public benefit as a part of the Planned Unit Development process. However, this is not to say that NDC will not pursue this as an option as the project progresses. Further, seniors, provided they meet the income requirements, would be welcome residents for the building.
2.	An approximately 1200 sq. ft. room available for community use.	Viable benefit option.
3.	Lump sum from NDC through DGS to be utilized by the River Terrace Community Organization for community activities.	NDC does not see this as a viable benefit option, in light of the complexity in relation to Option 2, the added benefit to the community of Option 2, and due to the required coordination that would have to take place with the District of Columbia Department of General Services, in accordance with § X. 305.3 (d) of the PUD regulations.
4.	Structural monitoring during construction of the new apartment building of nearby neighbors’ homes.	Viable benefit option. Based on preliminary research, this does not appear to be an inherent requirement based on the conditions of the property and building code requirements.
5.	Playground enhancements and maintenance money.	Viable benefit option. However, the enhancements would have to be located in the boundaries of the ANC where the PUD is proposed, and the maintenance money would need to be administered by the Department of Parks and Recreation (DPR). DPR would also need to support the location of the enhancements, if they are new.
6.	Planning, designing, building and maintenance of a dog park.	Viable benefit option. However, the enhancements would have to be located in the boundaries of the ANC where the PUD is proposed, and the maintenance money would need to be administered by the Department of Parks and Recreation (DPR). DPR would also need to support the location of the new dog park.

7.	Senior center with programming and activities.	Based on the other benefits already committed to, and the degree of development incentives being requested, the establishment of such a facility, in NDC's opinion, is not justified.
8.	Subsidy for a business to open a nearby daycare center	A subsidy (i.e., monetary consideration) could only be provided to a District of Columbia agency in accordance with § X. 305.3 (d) of the PUD regulations. Establishing a day care is a qualified benefit under the regulations; however, the requirements for such a facility, due to its required life-span, may not be justified based on the degree of development incentives being requested.
9.	Building and maintenance of covered bus stops in River Terrace	While in principle, this is a viable option, covered bus stops are the purview of WMATA, and their private partner, Clear Channel. Clear Channel profits from the location of new bus shelters, so it would not be in NDC, nor the local communities interest, to subsidize the establishment of these facilities; when the resources could be provided elsewhere.
10.	Additional street lighting in River Terrace	Viable benefit option. However, based on the other benefits already committed to the level of additional lighting would have to be negotiated further. At a certain point the cost of additional street lighting would not be justifiable.
11.	River Terrace Museum for Native American Artifacts	The complexity of providing a museum would make this benefit problematic. Further, if this was to be considered, the resources for such a facility would have to be administered by a willing District of Columbia agency in accordance with § X. 305.3 (d) of the PUD regulations. Depending on the scale of the facility envisioned, it may not be justified relative to the incentives being sought.
12.	Assistance in attracting quality retailers	This could be a viable benefit option. But right now it is too vague. More clarity would need to be provided in terms of what is considered "assistance." By its very nature, the project is adding to the local market place; so, the intent of this benefit may already be being achieved.



<p>13.</p>	<p>Establish a fresh food (super) market</p>	<p>The PUD regulations establish that a grocery store be a minimum of 15,000, if proffered as a public benefit. To be a viable benefit, the facility would have to be located within the project as proposed. However, integrating a commercial use within the existing floor area would a) undermine the housing to be supplied by removing greater than 20% of the total project for commercial use, b) require an entirely different structural type at the base of the building, which would increase the cost of the project beyond a level of financial feasibility, and c) conflict with guidance already provided by the Office of Planning regarding their recommendations for the future uses appropriate for this street.</p> <p>For this to be a viable benefit, it would be highly likely that an entire story would need to be added to the project. However, doing so would conflict with other feedback regarding the building related to its height.</p> <p>For these reasons, we do not believe it is a justifiable alternative, relative to the incentives being sought.</p>
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Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

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## 3450 Eads Street NE - PUD General Procedures

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**Michael Giulioni** <mgiulioni@neighborhooddevelopment.com>  
To: Cinque Culver <culver.ce@gmail.com>

Thu, Oct 13, 2016 at 3:41 PM

Cinque,

Here are the regulations for you reference.

Michael

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Michael Giulioni  
Project Manager, Pre-development | Neighborhood Development Company  
o: (202) 567-3215 | m: (202) 352-2233  
3232 Georgia Ave NW, Suite 100 | Washington, DC 20010

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 **Subtitle X - General Procedures - Chapter 3 - Planned Unit Developments.pdf**  
78K



Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

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## 3450 Eads Street NE - PUD General Procedures

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**Cinque Culver** <culver.ce@gmail.com>

Thu, Oct 13, 2016 at 4:06 PM

To: Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

Thank you.

Cinque

On Oct 13, 2016 3:42 PM, "Michael Giulioni" <mgiulioni@neighborhooddevelopment.com> wrote:

Cinque,

Here are the regulations for you reference.

Michael

--

Michael Giulioni

Project Manager, Pre-development | Neighborhood Development Company

o: (202) 567-3215 | m: (202) 352-2233

3232 Georgia Ave NW, Suite 100 | Washington, DC 20010

# Attachment N

**River Terrace Community Organization Review of the  
The Neighborhood Development Company PUD Proposal  
At 3450 Eads Street NE  
November 2016**

**Introduction:**

River Terrace is an urban cul-de-sac neighborhood of about 998 households in Northeast Washington, D.C., on the eastern bank of the Anacostia River. River Terrace is Washington, DC's only planned unit development that has an unimpeded connection to and relationship with the Anacostia River. And through the River Terrace Community Organization (RTCO) and involved residents, River Terrace (RT) has a long history of fighting to preserve its neighborhood.

The Neighborhood Development Company (NDC) has proposed a planned unit development (PUD) project on the empty lot located at 3450 Eads Street NE. The proposed project would be 59, 1, 2 and 3-bedroom affordable housing units at 35-50% Average Median Income (AMI) and 22 parking spaces. NDC is requesting development incentives from zoning R-3 (residential 3) to MU-7 (mixed use 7) for lots 840, 841 and 842 based on the proposed project. This would also include closing down the east alley abutting the building.

*General timeline of events*

- April 2016 - Michael Giulioni, Project Manager for the Neighborhood Development Company (NDC), attended the River Terrace Community Organization (RTCO) general meeting to introduce the 3450 Eads Street NE Project to the community. The Project was 70 units and 24 parking spaces.
- June 2016 - Attended the ANC 7D meeting and was informed by the Commissioners that more formal community engagement was needed to introduce the project to the River Terrace community.
- August 2016 – Two information/introduction sessions (August 17 and 27) for the River Terrace community at the River Terrace Elementary School.
- September 15, 2016 - NDC submitted initial proposal to DC Zoning Commission.
- October 11, 2016 – Michael Giulioni attended the ANC 7D meeting regarding NDC's submission to DC Zoning.
- November 14, 2016 – NDC's initial application was heard by the DC Zoning Commission (Case no. 16-20 – Transcript [https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case\\_id=16-20](https://app.dcoz.dc.gov/Content/Search/ViewCaseReport.aspx?case_id=16-20), pp 47-53). Design modifications were requested by the Zoning Commission.

**Community Feedback**

In October 2016, the River Terrace community was given the opportunity to participate in a survey regarding the NDC project. Distribution of the survey was to every River Terrace residence, including an electronic option through Survey Monkey. Subsequently, all input was entered into Survey Monkey.

The survey focused on the following topics, as requested by River Terrace residents.

1. Public Benefits
2. Average Median Income (AMI)
3. Community concerns regarding the project

**1. Public Benefits**

Below are the public benefits favored by the River Terrace Community in order of importance as per survey.

#	Proposed Public Benefit	Notes
1.	Hiring of River Terrace residences as business contractors/workers.	This would be accomplished through the DC Department of Employment Services that would ensure candidates were qualified to work for NDC or contractors NDC hired.
2.	An approximately 1200 square foot room available for community use.	The River Terrace community would like to have space available for smaller gatherings. Details of community access would be negotiated with NDC/Residential One.
3.	Structural monitoring and correction during and after construction of nearby properties.	Due to the need to excavate down one level very near existing homes and the traversing of heavy machinery through the neighborhood, residents feel this is an important benefit especially for those properties that are directly across from and adjacent to the site. Structural damage was reported during DC WASA and Washington Gas work in the past.
4.	A specified sum of money from NDC distributed annually and utilized by the River Terrace Community Organization for community activities.	The River Terrace Community Organization is a non-profit corporation with the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). It follows basic accounting principles and has a Financial Secretary, Treasurer and an Audit Committee to administer these funds.
5.	NDC Project apartments offered primarily for Washington, DC seniors.	Due to the PUD income requirements (AMI of 30-50%) this is an option that could be pursued through DCHCD. Community members especially liked this benefit due to the demographics of the neighborhood.

Other public benefits mentioned: Assistance with neighborhood beautification – signage, murals, flowers; recreation/exercise/community center; a dog park; park area along the Anacostia Freeway (DC 295) greenspace.

**2. Average Median Income (AMI)**

NDC has proposed 35% and 50% AMI for the Eads Street Project (between \$665 – 1,474 per month, according to the size of the unit, respectively). The residents of River Terrace are not against affordable housing but are concerned about the demographics of potential renters of the units. Fixed income seniors may be calculated in the AMI but the additional asset of home ownership should also be added to that number which is why senior housing was proposed by the neighbors. At this time, River Terrace has a large senior population as well as working families and professional singles.

**3. Community comments and concerns**

This was an open comment section with many of the concerns expressed above in the public benefit concerns and AMI concerns. Below are comments.

1. Parking - Will 22 spaces be enough parking and if not, has anyone looked at the effect on neighborhood parking?
2. Affordable Housing - Screening of potential renters again using the demographics of the neighborhood.
3. Construction - Structural damage during and after, -Length of construction, repairs to area – houses, roads, infrastructure
4. Will this project benefit River Terrace? Whatever is planned for the neighborhood, the history and culture needs to be retained.
5. Density for the lot and block. Is 59 units too much for the space?
6. Better police presence in area.

*NB:* There were residents that commented that an affordable housing unit would be a bad idea for River Terrace due to fears of potential crime, drug use, and safety.

**Future Timeline per NDC as of November 2016**

- Week of January 9, 2017 – NDC’s resubmission of application with complete project packet to DC Zoning Commission.
- February 2017 – NDC will attend the ANC 7D meeting to ask for formal action from the commissioners.
- March 2017 – DC Zoning Commission set-down (usually 60 days after application submission)

# Attachment O



3450 Eads Street NE - Public Benefits Review

#	Proposed Public Benefit	Notes	NDC Current Position - 2017-02-15
1.	Hiring of River Terrace residences as business contractors/workers.	This would be accomplished through the DC Department of Employment Services that would ensure candidates were qualified to work for NDC or contractors NDC hired.	<ul style="list-style-type: none"> <li>NDC will enter into a First Source Employment Agreement with DC Department of Employment Services.</li> <li>Participation in agreement requires that we will use DOES as our first source for recruitment, referral and placement of new hires or employees whose jobs were created by the project receiving financial assistance.</li> </ul>
2.	An approximately 1,200 square foot room available for community use.	The River Terrace community would like to have space available for smaller gatherings. Details of community access would be negotiated with NDC/Residential One.	<ul style="list-style-type: none"> <li>Plan at 1,200 sq. ft. would allow for 80 people to occupy the space, with tables and chairs.</li> </ul>
3.	Structural monitoring and correction during and after construction of nearby properties.	Due to the need to excavate down one level very near existing homes and the traversing of heavy machinery through the neighborhood, residents feel this is an important benefit especially for those properties that are directly across from and adjacent to the site. Structural damage was reported during DC WASA and Washington Gas work in the past.	<ul style="list-style-type: none"> <li>Building design has been modified with this consideration as a factor resulting in the removal of the below grade construction.</li> <li>NDC will perform the necessary investigations in advance and associated structural monitoring based on our revised construction plan.</li> </ul>
4.	A specified sum of money from NDC distributed annually and utilized by the River Terrace Community Organization for community activities.	The River Terrace Community Organization is a non-profit corporation with the District of Columbia Department of Consumer and Regulatory Affairs (DCRA). It follows basic accounting principles and has a Financial Secretary, Treasurer and an Audit Committee to administer these funds.	<ul style="list-style-type: none"> <li>Prior to the issuance of a certificate of occupancy for the Project, the Applicant shall demonstrate that it has contributed a to be determined sum to the River Terrace Community Organization (“RTCO”) for ongoing community beautification and community gathering activities. Compliance with this condition shall be demonstrated by a letter from the RTCO stating that the items or services funded have been or are being provided.</li> </ul>
5.	NDC Project apartments offered primarily for Washington, DC seniors.	Due to the PUD income requirements (AMI of 30-50%) this is an option that could be pursued through DCHCD. Community members especially liked this benefit due to the demographics of the neighborhood.	<ul style="list-style-type: none"> <li>50% of units in project, at a minimum, will be designed and reserved for seniors (55+), including assisted living and intergenerational housing units, provided that a market study, as required by DHCD demonstrates sufficient demand for any units that are restricted to a specific population.</li> </ul>

## Additional Issue Review

### *Average Median Income (AMI)*

- Average incomes are consistent with River Terrace
- Target will be seniors
- Financing structure does not enable ownership and rental housing

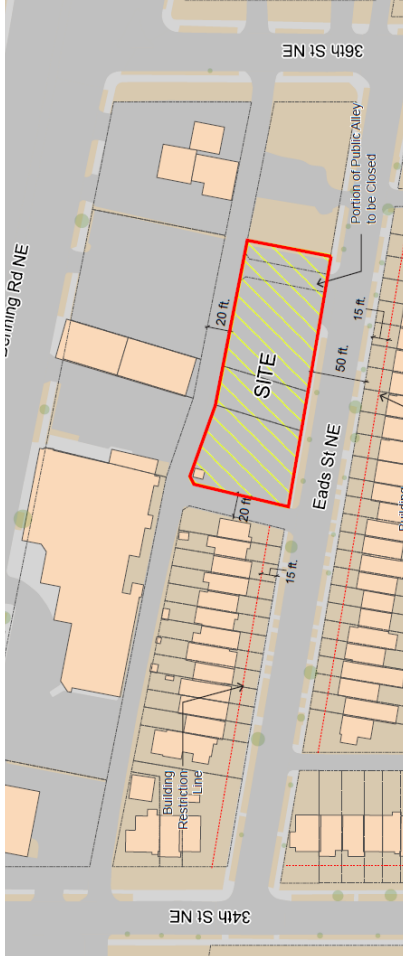
### *Community Concerns*

- **Parking:** We will provide a surplus of parking in relation to the zoning requirements. We are not asking for any relief. DC government sets parking regulations.
- **Affordable Housing:** We will comply with all requirement related to the fair housing act. Our management provider applies screening procedures to ensure occupants are good neighbors within the building and its surroundings. Financing requires effective management.
- **Construction:** DC regulations require practices that ensure no issues arise with neighboring properties. Construction period will be reduced by limiting amount of construction below grade.
- **Density:** Population density, nor unit density is not directly regulated. To comply with senior housing program we will be increasing the unit count to potentially 73-75 units.
- **Police Presence:** NDC will incorporate security measures (i.e., cameras) into the building and will coordinate with DC MPD, as we do on our current properties, to address neighborhood crime issues. NDC has already met with 6th District MPD representatives regarding earlier project designs to improve safety.

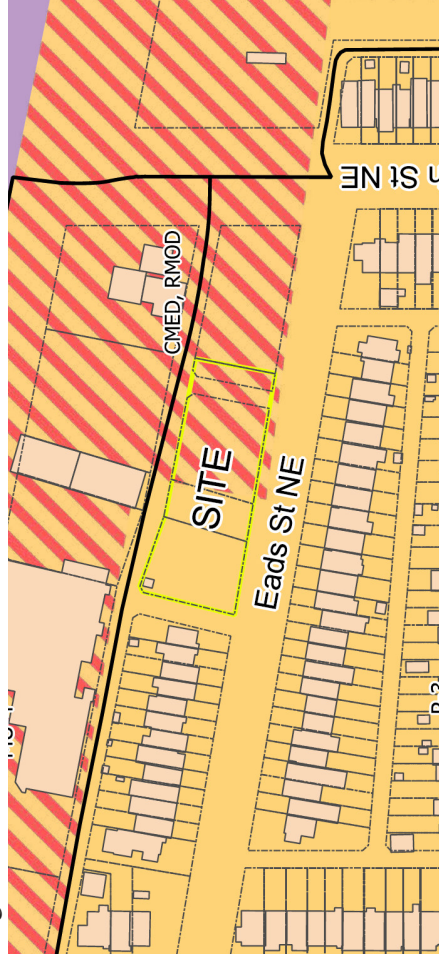
### **Future Timeline**

- Submit in late February for hearing date
- Provide updated public benefits to RTCO and ANC
- Attend ANC and RTCO meetings in March to request support of project
- Attend Zoning Commission hearing in late April or early May

## Project Location

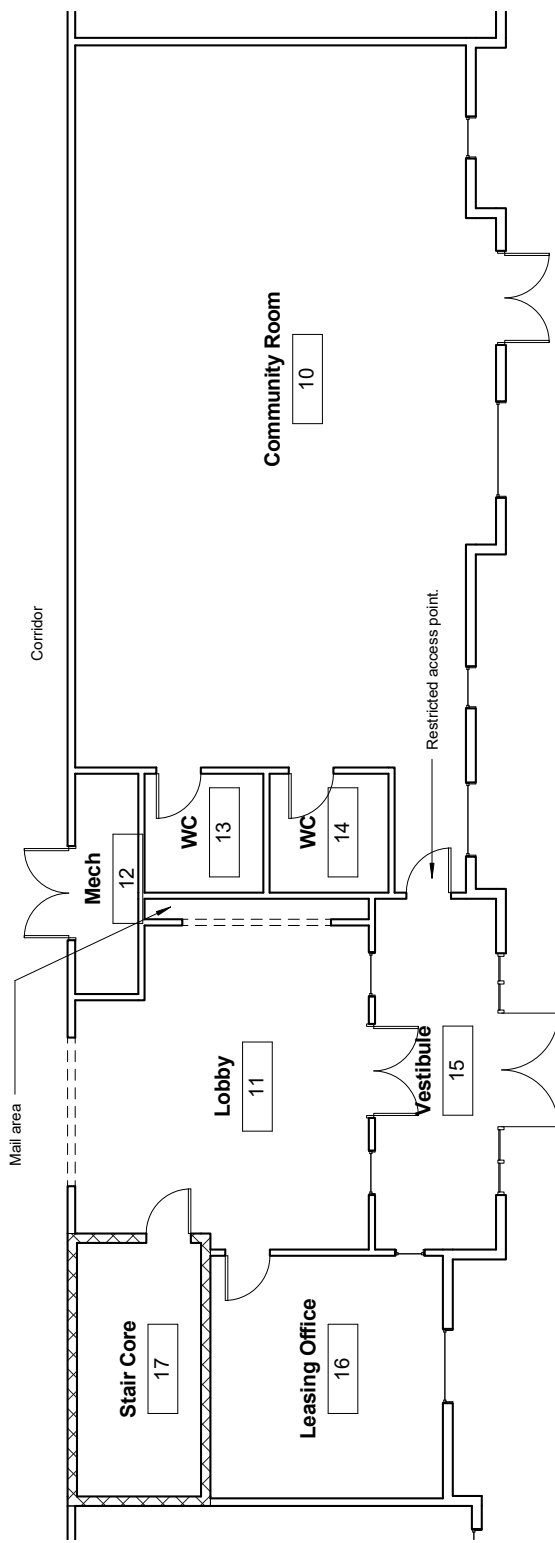


## Regulations



## Current Design





1 Level 1 - Common Area Details  
1/8" = 1'-0"

Common Area Layout			
Project number	Project Number	A101	
Date	Issue Date		
Drawn by	Author		
Checked by	Checker		
			Scale 1/8" = 1'-0"

No.	Description	Date

**NDC**  
3450 Eads Street NE

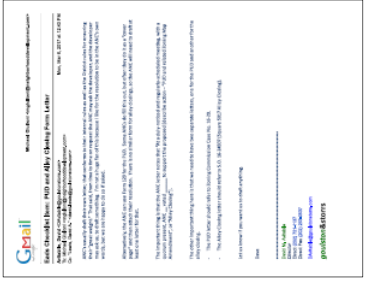

**AUTODESK**  
www.autodesk.com/revit

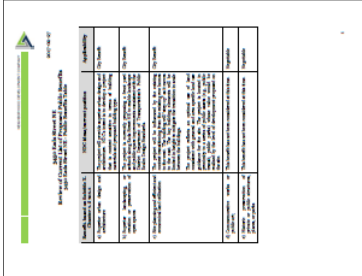


# Attachment P

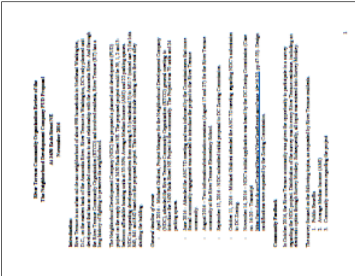

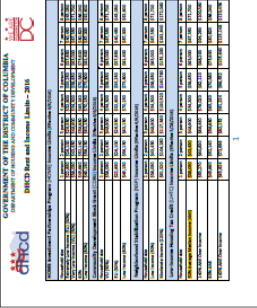
**ANC 7D – Itemization of Background Materials Regarding 3450 Eads Street NE PUD Application by the Neighborhood Development Company**

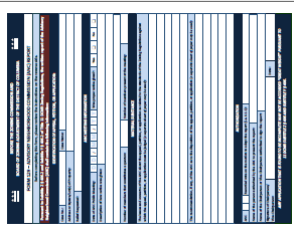
Outlined in the table below are the materials provided to the ANC 7D SMD Commissioner for the River Terrace neighborhood. This information was provided to inform ANC commissioners of some of the history behind the project, as well as forthcoming procedural requirements associated with the project’s review by the ANC.

Presented in the table are a title for the document; an image icon of the first page, for reference; the source of the document; the date of the document; and why this information is being provided.

ID	Title	Image	Source	Date	Purpose of Information
1.	E-mail from NDC Attorney		NDC	March 6, 2017	<p>This e-mail provides guidance to NDC from our attorney that is intended to provide guidance to us to work with the ANC to prepare their response to our PUD and Alley Closing application. It makes reference to Form 129, which is included as part of the package and explained below.</p> <p>This information is provided as guidance to NDC to ensure that the two separate issues that need to be addressed by the ANC in their meeting actions are completed correctly. It advises us how the ANC <i>may</i> address them, and how NDC may be able to help, should the ANC so choose.</p>
2.	Cover Letter for Hearing Scheduling		NDC	March 2, 2017	<p>This cover letter was prepared in relation to NDC’s updated submission to the Zoning Commission.</p> <p>It includes information related to NDC’s proposed public benefits, and how the project has changed since the initial filing on September 13<sup>th</sup>, 2016. (See Item 7.)</p>

3.	Comprehensive Community Benefits Table		NDC	February 27, 2017	<p>This community benefits table has been updated, to reflect all qualified benefits under the PUD process.</p> <p>Previous versions were provided to the past ANC 7D-04 SMD, and River Terrace community members and RTCO members.</p>
4.	Current Design Drawings		NDC	February 23, 2017	<p>These are the most up to date drawings submitted to the public record.</p> <p>They have been provided so that the ANC members understand the current status of the design.</p> <p>Major changes from the last round of drawings include a clarification of the community room space, removal of the below grade parking, and a change in the overall unit count and program.</p>
5.	RTCO Meeting Handout		NDC	February 15, 2017	<p>This meeting handout was prepared by NDC, to summarize NDC's position relative to the RTCO PUD Review Summary at that time (see Item 6). Some issues have now been addressed in more detail in more current information presented by NDC.</p> <p>This document reflects content that is now included in the up to date design drawings (Item 4), the up to date community benefits table (Item 3), and our cover letter submitted to the Zoning Commission (Item 2).</p> <p>The handout responds directly to the community benefit modifications requested by RTCO in the PUD Review Summary (Item 6) as well as the general questions and concerns raised in the PUD Review Summary.</p>

6.	<p>RTCO PUD Review Summary</p>		<p>RTCO</p>	<p>November, 2016</p>	<p>This document provides an overview of the RTCO's feedback on initial public benefits proposed by NDC and the overall project characteristics.</p> <p>This document was prepared by RTCO after two public open house meetings held in August of 2016. The document reflects the prioritization of community objectives based on discussions among River Terrace community members.</p>
7.	<p>Set down report</p>		<p>NDC</p>	<p>September 13, 2016</p>	<p>This report was the original report submitted to the zoning commission to facilitate a public hearing on NDC's project.</p> <p>A copy was provided to the ANC at that time by the Zoning Commission's administrative arm, the Office of Zoning.</p> <p>It is provided now for background regarding the project and the justification for NDC's proposal, in accordance with the District of Columbia Comprehensive Plan and Small Area Plan for the Benning Road NE corridor.</p>
8.	<p>AMI/Affordability Levels</p>		<p>DHCD</p>	<p>2016</p>	<p>This information sheet is intended to provide background on the proposed affordability levels of the project, based on DHCD provided information.</p>

9.	Zoning Commission and Board of Zoning Adjustment Form 129		DC Zoning Commission	2016	<p>This is the standard form that the ANC <u>may</u> use (it is not required) to respond formally to the Zoning Commission regarding the PUD application by the Neighborhood Development Company.</p> <p>It is provided for reference, so that the ANC has the necessary background information to guide their response to our application. As outlined through Item 1, often ANC's will include the form, with supplemental information.</p>
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# Attachment Q



Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

## NDC Proposal for 3450 Eads Street NE - ANC 7D - Executive Session Follow-up

Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

Mon, Apr 10, 2017 at 1:47 PM

To: "Coomber, Bob (SMD 7D01)" <7D01@anc.dc.gov>, "Hasan, Siraaj M. (SMD 7D02)" <7D02@anc.dc.gov>, "Douglas, Dorothy (SMD 7D03)" <7D03@anc.dc.gov>, "Lini, Justin A. (SMD 7D07)" <7D07@anc.dc.gov>, "Hazel, Janis (ANC 7D05)" <7D05@anc.dc.gov>, "Muhammad, Sherice A. (SMD 7D06)" <7D06@anc.dc.gov>, "Jo-Anne Prue (SMD 7D04)" <7D04@anc.dc.gov>, Joanne Prue <joanneprue41@gmail.com>

Cc: Malissa Freese <malissfree@aol.com>, Cinque Culver <culver.ce@gmail.com>

Dear Commissioner,

As a follow-up to our conversation on March 28<sup>th</sup>, 2017, I wanted to address some of the questions asked of me, on behalf of the Neighborhood Development Company (NDC), prior to the ANC's meeting this week regarding our Planned Unit Development (PUD) proposal for 3450 Eads Street NE.

The Commissioners who participated had asked questions associated with the following subjects:

1. The basis for the definition of a "senior".
2. The screening process for future tenants.
3. Plans for tenant drop off and pick up by third party point to point transportation services (e.g., Metro Access).
4. The marketplace for our proposed project.
5. The experience of our management company, ResidentialOne ([www.res1.net](http://www.res1.net)), operating residential buildings dedicated to a specific age cohort, namely mature adults or seniors.

Based on our research and follow up discussions, outlined below is NDC's current position related to these subjects.

### The basis for the definition of a "senior"

As outlined briefly on our call, the senior definition being used by NDC, is based on the Department of Housing and Community Development's (DHCD) funding framework for affordable housing in the District of Columbia.

Specifically, the senior definition has been included, and is currently included, in the scoring criteria for affordable housing projects requesting funding through DHCD's past and current Request for Proposals for Affordable Housing Projects:

#### Spring 2017 RFP – Consolidated Request for Proposals for Affordable Housing Projects

Page 37 of the current RFP, which is included in the Selection Criteria section of the RFP (under the scoring criteria related to demographic criteria) states that "up to five prioritization scoring points will be awarded for projects that include units designed and reserved for seniors (55+)" (emphasis added).

Although this is the basis for the definition in association with our project, a question was asked about other District Agencies who work with aging individuals, specifically the [DC Office on Aging](#).

According to the Office of Aging's website, the agency oversees direct services to persons 60 years of age and older.

The other highly relevant definition, for purposes of housing, is the US Department of Housing and Urban Development's (HUD).

According to HUD's website the Fair Housing Act protects all residents from discrimination on the basis of race, color, national origin, religion, sex, handicap or familial status. However, the Fair Housing Act "specifically exempts some senior housing facilities and communities from liability for familial status discrimination".

According to HUD, senior housing facilities are those that are:

- Provided under any State or Federal program that HUD has determined to be specifically designed and operated to assist elderly persons (as defined in the State or Federal program); or
- Intended for, and solely occupied by persons 62 years of age or older; or
- Intended and operated for occupancy by persons 55 years of age or older. (Emphases added.)

Qualification for the "55 or older" housing exemption is based on the satisfaction of the following requirements:

- At least 80 percent of the units must have at least one occupant who is 55 years of age or older; and
- The facility or community must publish and adhere to policies and procedures that demonstrate the intent to operate as "55 or older" housing; and
- The facility or community must comply with HUD's regulatory requirements for age verification of residents.

Based on this definition and the funding for the project and that it will be delivered through a joint State and Federal funding program, the proposed project will provide an additional 20% of the units for purposes of "senior" housing for a total of 80% (56) of the units proposed (70).

### **Screening process for future tenants**

Based on conversations with Tony Ross, President of Residential One (who will be the management company for this building) they use the following list of criteria when determining eligibility for occupancy in the building:

Income: tenants cannot make *more* than the median income guidelines set by HUD and DHCD, based on the project's funding – in our case 50% of AMI. However, tenants are also evaluated to ensure that, of the income they do make, they are not spending more than 40% of it on their housing. This is to ensure that they are not paying beyond their means and that they can become long-term members of the building and the community.

Credit score: tenants must meet a minimum credit score, which is anticipated to be 600 or greater at this time.

Rental history: Tenants cannot have been evicted within three years of application. Tenants also have their rental history reviewed to ensure that it is positive.

No real estate debt: Tenants cannot have any outstanding real estate related debt.

Criminal background check: Tenants will have a criminal background check. If they are found to have violated a particular requirement of the law, they will be evaluated against a chart of offenses that provides for a minimum number of years from which the particular offense occurred before they can be considered eligible tenants. If the term identified has expired, they are eligible to live in the building (provided they meet the other requirements), otherwise, their application is refused.

For example, if a tenant applicant had a felony theft related conviction for a fraud that was less than 7 years old, it would result in a denial of their application. Certain offenses make an applicant automatically ineligible, such as someone who is a registered sex offender.

### Plans for tenant drop off and pick up

As discussed on the call, the District Department of Transportation (DDOT), controls the requirements for curbside loading or the establish of other more permanent physical changes that occur in public space, such as a lay-by.

Based on our conversation, I spoke with our traffic engineer from [Gorove / Slade](#) transportation planners and engineers and they reached out to DDOT representatives to discuss the ANC's suggestion regarding provided loading at the front of the building, so that building occupants could be easily picked-up by point to point transportation service providers, such as Metro Access, taxis, Lyft, or other similar services.

DDOT confirmed that the right of way could not support a lay-by, but that the project would be eligible for a Passenger Pick-up and Drop-Off Zone in front of the building. This would be partially due to the fact that our proposal includes closing an alley, so designating some space for passenger pick-up and drop-off should not result in any net loss of on-street parking spaces vs. the current condition.

As shared on our call, NDC strongly supports the concept of including the pick-up and drop-off zone as a part of our project; however, approval requires going through DDOT's public space process and not the Zoning Commission. With that said, if the ANC supports this idea they should state their support in writing as a part of their response to the PUD application. In your response, you should ask that the Zoning Commission have DDOT weigh in on the provision of the pick-up and drop-off zone as a part of the PUD process – of which DDOT is a key participant. By doing so as part of the PUD process, we can be assured that the area will be provided.

### The marketplace for our proposed project

As a part of our discussions, there were questions raised regarding NDC's willingness to proceed with our senior PUD proposal without a market study. As stated on the call, as a land developer it is within our purview to take risks with our resources. However, in this instance, we do not believe we are taking a substantive risk as our actions are supported by extensive public policy and research already completed by the District of Columbia.

As already outlined, the current requests for proposals, issued by DHCD, specifically prioritizes senior housing among its many goals. This funding action is supported by the [DC government's Five Year Consolidate Plan](#) which provides extensive guidance and support regarding the need for senior housing in the District of Columbia:

- Half of senior renters currently spend more than the recommended 30 % of their income on housing costs (Pg. 69)
- There is currently a limited supply of senior units compared to the city's population of older adults which is exacerbating the lack of available housing options for low-income seniors. (Pg. 90)
- 6,500 (of ~8,000) units currently subsidized by District of Columbia Housing Authority require major rehabilitation. Of those units, almost one-third (2,083) are focused on senior/disabled populations. (Pg. 106) These units require rehabilitation to the point where existing residents would have to be relocated, to make the necessary upgrades. (Pg. 107, emphasis added.)
- According to the Aging and Disability Resource Center, within the first quarter of the fiscal year 2016, 634 for cases for housing assistance were opened and only 6 cases were closed within that same time period, "largely due to lack of available affordable senior housing in the District" (emphasis added). (Pg. 114)

In addition to the Five Year Consolidated Plan, the 2016 [progress report](#) of the Office of Aging states that only 33% of DC seniors think that housing in their neighborhood is affordable (Pg. 5). And, based on American Community Survey

data presented in the same progress report, approximately 500 residents of the River Terrace census tract are 60 years of age and older. Many of these individuals may prefer to stay in the neighborhood in a more barrier-free environment instead of moving to another area of the city or entirely outside of the District of Columbia.

In conclusion, although a market study will ultimately be completed as a part of the funding process for our project, there is already a substantive qualification of the need for more senior housing in the District of Columbia. This quantifiable evidence is most clear in the requests of the River Terrace Community which have highlighted the need for senior housing as a result of our ongoing discussions about community benefits.

We anticipate the market study will simply be a validation of the already extensive body of evidence regarding the need for the housing proposed.

### **Experience operating residential buildings dedicated to a senior age cohort**

In addition to answering our questions regarding tenant screening, Tony Ross from Residential One also provided us with an overview of their experience operating apartment buildings that are targeted to a senior age cohort. (This was to address the question related to how common this approach to age-restricted housing is and how its operation differs from non-age restricted communities.)

In total, ResidentialOne manages eleven properties totally 1,602 units that serve the 55 years of age and older and 62 years of age and older. As ResidentialOne manages a total of 70 properties totaling 7,093 units, 22.6% of their units are dedicated to seniors.

In terms of how the operations differ from a non-age restricted building, it turns out that they differences are only nuanced. Senior buildings typically have more resident services and events, have elevators and trash compactors, and are programmed with property management staff that understand the cohort being served. Otherwise, there are limited distinctions between an age restricted building and one that is not.

### **Closing**

In closing, getting the answers to these important questions was an important exercise which further establishes that the project proposed for 3450 Eads Street NE is highly consistent with the objectives of the District of Columbia for serving the city's senior population. By keeping an open mind, NDC has -- and will continue to -- shape the project to meet our objectives while meeting an important need within the District of Columbia and to ensure our building is a good neighbor.

We look forward to meeting once again this Tuesday to further discuss these matters and address any additional questions that have arisen since our last conversation.

Sincerely,

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Michael Giuliani  
Project Manager, Pre-development | Neighborhood Development Company  
d: (980) 299-4763 | o: (202) 567-3215 | m: (202) 352-2233  
3232 Georgia Ave NW, Suite 100 | Washington, DC 20010

# Attachment R



Michael Giulioni &lt;mgiulioni@neighborhooddevelopment.com&gt;

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## 3450 Eads Street NE - River Terrace Community Organization / ANC Joint Meeting Preparations

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Michael Giulioni <mgiulioni@neighborhooddevelopment.com>

Tue, Apr 18, 2017 at 9:14 AM

To: "Muhammad, Sherice A. (SMD 7D06)" <7D06@anc.dc.gov>, "Jo-Anne Prue (SMD 7D04)" <7D04@anc.dc.gov>, Malissa Freese <malissfree@aol.com>, Cinque Culver <culver.ce@gmail.com>

Cc: Adrian Washington <awashington@neighborhooddevelopment.com>

All,

In preparation for tomorrow's meeting with RTCO and ANC 7D, I wanted to confirm whether or not there were any additional issues that have arisen after the 4/11 ANC meeting? We have not received any additional questions to date although we understood that if there were any, we were to have received them by April 14th.

At this time, we intend to provide a general overview, for those participants who were not in attendance at the ANC meeting or who may still be unfamiliar with the project, and directly address some questions that came up regarding the project after the ANC meeting. We also intend to more specifically address those questions of the ANC that were not addressed directly in the ANC meeting presentation, but that were addressed in writing in direct correspondence to the ANC commissioner's.

We look forward to continuing our conversation tomorrow evening.

Take care,

Michael

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Michael Giulioni

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