



Z.C. Case No. 17-08 - PUD Compliance Response

B. Public Benefits

1. **Prior to the issuance of a final Certificate of Occupancy for the Project**, the Applicant shall file a historic designation application for portions of the PNBC campus not included in the PUD application. The historic designation application shall include Trades Hall, the chapel, dormitory and the Lincoln Memorial Arch.
 - We held a meeting with the Historic Preservation Office (“HPO”) on 09/27/21 to discuss the historic designation requirements. It was determined by HPO the Progressive National Baptist Convention (“PNBC”) should file a historic district application on the PNBC campus to meet the PUD requirement. PNBC has been working with EHT Tracerics, a consultant who specializes in historic applications, to prepare the application. We anticipate the application will be filed with HPO before the end of this year. The development team requests that this item be made a requirement for Final Certificate of Occupancy to avoid delaying tenant move ins into much needed affordable housing units in the community.
2. The Applicant shall provide affordable housing as set forth in this condition:
 - (a) The charts that follow identify two scenarios, based upon whether the Applicant chooses to construct the Project in accordance with the Plans (100 units/101,047 GFA) or the Alternate Plans (93 units/94,277 GFA). The charts assume that the Applicant will be granted an exemption from the Inclusionary Zoning regulations (“the IZ Regulations”) set forth in Subtitle C, Chapter 10 of the Zoning Regulations, pursuant to 11-C DCMR § 1001.6 (“IZ Exemption”). However, the Commission takes no position as to whether the IZ Exemption should be granted;
 - The project was built in accordance with the Alternative Plans.
 - (b) If the Applicant constructs the building reflected in the Plans, the Applicant shall provide affordable housing in accordance with the chart below:
 - n/a
 - (c) If the Applicant constructs the building reflected in the Alternate Plans, the Applicant shall provide affordable housing in accordance with the chart below:
 - Confirmed.

Residential Unit Type	Floor Area/ % of Total*	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	94,277/100%	93	Up to 60% of MFI			
Affordable Non-IZ**	9,428/10%	10	Up to 60% of MFI	Life of the Project	Rental	
Affordable Non-IZ	40,317/43%	35	Up to 60% of MFI	99 years	Rental	Replacement units
Affordable Non-IZ	44,532/47%	55	Up to 60% of MFI	40 years	Rental	

- (d) Each control period shall commence upon the issuance of the first certificate of occupancy;
 - It is acknowledged and confirmed that the control periods displayed in the chart above shall commence upon the issuance of the first certificate of occupancy.
- (e) As indicated on each chart, with respect to the residential gross floor area that is subject to the 40-year control period, the Applicant shall construct 35 units, which shall be reserved as



replacement units for the Lincoln Heights and Richardson Dwellings communities. If the Applicant constructs the PUD in accordance with the Plans, then the unit mix for these replacement units shall include eight three-bedroom units and three four-bedroom units. If the Applicant constructs the PUD in accordance with the Alternate Plans, then the unit mix for these replacement units shall include seven three-bedroom units and three four-bedroom units;

- The project has constructed 35 units which shall be reserved as replacement units for the Lincoln Heights and Richardson Dwellings communities. In accordance with the Alternative Plans, these units include seven three-bedroom units and three four-bedroom units, as confirmed by the LRSP Long Term Subsidy Contract.

(f) Should the IZ Exemption be granted, the affordable housing requirements of this condition shall be stated in the covenant required by 11-C DCMR § 1001.6(a)(4);

- The Inclusive Zoning exemption was granted, and the property's affordable housing conditions have been laid forth in the Affordable Housing Covenant except for changes discussed below.
- It should be noted that Conditional Certificate of Occupancy is being submitted for 83 of 93 units. Units 311, 411, 127, 227, 327, & 115 are awaiting exterior metal siding at the windows and therefore will be available at the time of Final Certificate of Occupancy. Further, Interior window glazing is being added to units L25, 122, 222, & 322 to allow for appropriate light within the bedrooms, this procurement process has begun. Unit #122 is currently designated as an IZ, although given this issue with interior glazing, new plans are being submitted that switches the IZ unit designation from #122 to #115. The new unit, #115 is on the same floor and offers the same layout. The appropriate precautions are being taken at both sets of units to ensure that the work to be done will not the other affect residents or their units.

(g) Should the IZ Exemption be denied, the Applicant shall nevertheless provide affordable housing in accordance with this condition, unless the IZ Regulations impose more restrictive standards. The Applicant shall record the covenant required by the Inclusionary Zoning Act as to 10% of the residential gross floor of the building, and shall execute the monitoring and enforcement documents required by 11-X DCMR § 311.6 as to the remaining residential gross floor area.

- n/a

3. Prior to the issuance of a building permit for the Project, the Applicant shall submit to the Zoning Administrator a copy of the executed SBE Agreement with DSLBD and a copy of the executed First Source Employment Agreement with DOES.
 - The SBE Agreement with DSLBD and a copy of the executed First Source Employment Agreement were submitted in order to obtain a building permit.
4. For the life of the Project, the community room second-floor amenity space in the building shall be made available for use by the broader community, including PNBC.
 - The Development's will Property Management team, Residential One, will ensure the community room amenity space is made available for use by the broader community through the life of the project and work closely with the local organizations to utilize the space.
5. The Applicant shall include solar panels on the building as depicted on Sheet A21 of the Architectural Plans submitted September 29, 2017 (Ex. 27A2) or Sheet 49 of the Alternate Plans submitted on November 6, 2017 (Ex. 40A).



- Building plans were created to allow for the future installation of solar panels although as per plans the project does not include them.
6. Prior to the issuance of a final Certificate of Occupancy for the Project, the Applicant shall furnish a copy of its Enterprise Green Communities certification application to the Zoning Administrator demonstrating that the building has been designed to meet the Enterprise Green Communities standard for residential buildings, as shown on the Enterprise Green Communities Checklist on Sheet A14 of the Plans. (Ex. 27A2.)
 - The development team has initiated the process of receiving the Enterprise Green Communities certification and is awaiting final documentation for the Green Consultant, Pando Alliance. ENERGY STAR documentation is completed currently being certified. This will be finalized for the Final Certificate of Occupancy.
 7. Prior to the issuance of a final Certificate of Occupancy for the Project, the Applicant shall demonstrate to the Zoning Administrator that it has installed the streetscape and landscape improvements consistent with the Landscape Plan sheet dated February 10, 2017. (Ex. 27A5.) All sidewalks and elements in public space shall be built to DDOT standards and shall be subject to DDOT approval.
 - A final Zoning Inspection has been completed by Inspector Patterson of CECA which confirmed the installation of the streetscape and landscape improvements in accordance with the Landscape Plan.

C. Transportation Mitigation

1. Prior to the issuance of a Certificate of Occupancy for the Project, the Applicant shall construct a six-foot-wide sidewalk and four-foot-wide tree box to extend the building length along 50th Street, N.E. and along Fitch Place, N.E. extending from the intersection of Fitch Place, N.E. and 50th Street, N.E. to Nannie Helen Burroughs Avenue, N.E.
 - The installation of the sidewalk and tree box were completed as planned.
2. During the operation of the building, the Applicant shall provide a Transportation Management Program, as set forth in the TDM section of the Comprehensive Transportation Review and as supplemented by the Applicant at the public hearing. The TDM Plan shall include the following: (Ex. 23A):
 - (a) The Applicant shall identify a TDM Leader (for planning, construction, and operations) at the building, who shall act as a point of contact with DDOT/Zoning Enforcement with annual updates. The TDM Leader shall work with residents to distribute and market various transportation alternatives and options;
 - The development team is working with property management to ensure the TDM leader is appropriately relaying information to the residents.
 - (b) The Applicant shall provide TDM materials to new residents in the Residential Welcome Package materials;
 - New Residents will be provided with the available TDM materials as part of the welcome package provided by the management company Residential One.



(c) The Applicant shall meet Zoning requirements to provide bicycle parking facilities at the proposed development. This includes 34 secure long-term parking spaces located on-site and a minimum of six short-term parking spaces around the perimeter of the site (in the form of three bicycle racks);

- The site has created 34 permanent bike parking spots as confirmed by the CECA Conditional Certificate of Occupancy recommendation letter. Six short term bike parking spots in the form of three bike racks are located at the front entrance of the building.

(d) The Applicant shall provide a bicycle repair station to be located in the secure long-term bicycle storage room;

- Within the bike room, the property has provided a bicycle repair station in accordance with plans.

(e) The Applicant shall provide an on-site business center to residents with access to copier, fax, and internet services;

- Included in the resident common areas is a business center that provides access to copier, fax machines, and internet services.

(f) The Applicant shall install a Transportation Information Center Display (electronic screen) within the residential lobbies containing information related to local transportation alternatives;

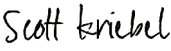
- The main entrance of the building the property will display an electronic screen that will work as the Transportation Information Center Display to provide transportation information to residences.

(g) The Applicant shall offer each unit's first incoming resident(s), an annual membership to either Capital Bikeshare or a car sharing service for a period of three years. A proactive marketing strategy shall be provided to ensure that residents are aware of this benefit;

- The development team is in the process of procuring the Capital Bikeshare memberships through goDCgo.

(h) The Applicant shall work with goDCgo in order to implement the TDM management plan proposed in the CTR.

- The Development team is working with goDCgo in order to properly implement the TDM management plan.

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Scott Kriebel
Vice President
Atlantic Pacific Communities