

COMMUNITY AGREEMENT

This Community Agreement (the “Agreement”) is made on this 8th day of November, 2022 by and between JAG Real Estate, LLC., (the “**945 Owner**”), and Deanwood Citizens Association (the “**DCA**”) and Advisory Neighborhood Commission (“**ANC**” 7C). 945 Owner, ANC and DCA are collectively referred to herein as the “**Parties**.”

RECTIALS

- A. 945 Owner is the Owner of the property located at premises 945 52nd Street, NE in the District of Columbia, which is designated as A&T Lot 803 in Square 5199 (the “**Property**”). The Property is located in the RA-1 Zone District.
- B. The Property is currently vacant with a proposal to construct a new, three-story building (the “**Building**”) with 12 residential units (the “**Project**”).
- C. In order to proceed with the Project, the 945 Owner filed an application with the Board of Zoning Adjustment (“**BZA**”) seeking special exception relief pursuant to U § 421. This BZA application is known as BZA Case No. 20829 (the “**BZA Application**”).

PURPOSE OF THE AGREEMENT

The purpose of this Agreement is to provide for a coordinated effort on the part of the Parties to maximize the benefits of the Project and minimize potential impacts.

UNDERSTANDING OF THE PARTIES

- A. Provided that the DCA and ANC 7C support the BZA Application to effectuate the Project (“support” shall be indicated by a majority vote of the DCA and ANC 7C on a resolution or motion supporting the Project), 945 Owner agrees to the following:
 1. Construction Activity. 945 Owner shall use its best efforts to ensure that all its contractors and subcontractors will comply with all applicable District of Columbia Municipal Regulations applicable to hours of work, noise, dirt, trash, and public health and safety.
 2. Permits. 945 Owner will secure all permits required to complete the Project, including all storm water management permits and tree removal permits. All plans and permits will be on-site as required under the DC Construction Code.
 3. Protection of Adjacent Properties. 945 Owner is responsible for adhering to all IBC codes referring to protection of adjoining property, specifically, but not limited to, Chapter 33 Section 3307.1, and for any damage to the Adjacent Property caused by the construction of the Project.

Community Agreement

945 52nd Street, NE
DCA ANC 7C

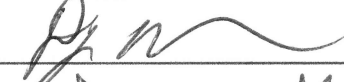
4. Cleanliness. 945 Owner will remove rubbish and construction debris continuously during the construction period during the normal construction. In addition, Applicant or a representative on behalf of the applicant will monitor the construction site daily to ensure cleanliness. Dust and debris will be removed from the Subject Property on an as needed basis.
5. Contractors and Subcontractors. 945 Owner will require that all contractors and subcontractors be contractually required to follow the terms of, and comply with, the policies set forth in the CMA.
6. Hours of Construction: 945 Owner agrees to conduct all construction operations on the Property from Monday through Friday from 7:00 a.m. until 7:00 p.m., and Saturday from 8:00 a.m. until 5:00 p.m.
7. Communication. 945 Owner will provide to ANC 7C and the adjacent tenants, the cell phone number and email of the project manager for the Project. ANC 7C may call this number during business hours, 7:00 am until 7:00 pm seven days a week, to notify the project manager of any issues or concerns with the Project. 945 Owner will cause the project manager or others to address any such issues promptly.
8. Inclusionary Zoning. 945 Owner will adhere to all applicable regulations concerning Inclusionary Zoning. 945 Owner anticipates that it will provide one Inclusionary Zoning Unit at a 60% MFI Rate (rental) or an 80% MFI Rate (condo).
9. Accessibility. The Building will comply with all ADA requirements.
10. Adjacent Properties. 945 Owner will send personalized notice with contact information to the owners of the adjacent properties and request that each respective owner provide the 945 Owner with the best way to contact the respective tenants of each building.
11. Parking. As depicted on the plans, the Project provides 5 vehicle parking spaces where only 3 are required.
12. Local Employment. 945 Owner will instruct its contractor to prioritize hiring local subcontractors and workers from the surrounding area so long as such subcontractors are competitive in terms of pricing and quality with out-of-state contractors.

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945 52nd Street, NE
DCA ANC 7C

- B. The terms and provisions of this Agreement are contingent upon the formal support of the ANC at all public hearings and other related proceedings on BZA Case No. 20829 before the BZA which the ANC elects to attend. The terms and provisions of this Agreement are further conditioned upon final approval of the BZA Application by the BZA, as evidenced by the issuance of a final written order by the BZA and issuance of a Certificate of Occupancy for the Project. This agreement will be null and void in the event that the BZA does not approve the Application. It will also be voided if the ANC does not offer formal support of the Application.
- C. The Parties reserve the right amend this Agreement at any time with the written agreement of both Parties.
- D. This Agreement shall be binding upon and shall insure to the benefit of the 945 Owner, ANC 7C and the DCA and their respective heirs, successors. and assigns.

JAG REAL ESTATE LLC

By: 
Name: D. Gessey Major
Title: Manager

Advisory Neighborhood Commission 7C

By: _____
Name: _____
Title: _____

Deanwood Civic Association

By: Jimell L. Sanders
Name: Jimell L. Sanders
Title: President