

Deanwood Town Center PUD
Z.C. Case No. 17-19
(Consolidated PUD and Related Map Amendment)

Proffer	Condition
<p>1. <u>Affordable Housing</u> (§ 305.5(g)). Of the 183 units proposed for the PUD, 61 units shall be replacement units for the Lincoln Heights and Richardson Dwellings communities. Further, approximately 168,100 square feet of gross floor area shall be devoted to households with incomes not exceeding 60% of MFI and approximately 97,300 square feet of gross floor area shall be devoted to households with incomes at 30% of MFI. The mix of units for the PUD shall include 32 three-bedroom units, 6 four-bedroom units, and 2 five-bedroom units in order to accommodate families.</p>	<p>B.1 The PUD shall include affordable units as set forth in this condition:</p> <ul style="list-style-type: none"> a. The Applicant shall provide the affordable housing set forth in the following chart. The chart assumes that the Applicant will apply for the 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. b. Each control period shall commence upon the issuance of the first certificate of occupancy. c. Should the IZ Exemption be granted, the Applicant shall record the covenant required by 11-C DCMR § 1001.6(a)(4) as to the 10% of the residential gross floor area of the building (which is equal to 18 units), and shall execute the monitoring and enforcement documents required by 11-X DCMR § 311.6 as to the remaining residential gross floor area, excluding the Market units. d. 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 (which is equal to 18 units), and shall execute the

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	<p>monitoring and enforcement documents required by 11-X DCMR § 311.6 as to the remaining residential gross floor area.</p> <p>e. As indicated on the chart, the Applicant shall reserve up to sixty-one (61) units for replacement units for the Lincoln Heights and Richardson Dwellings communities. The actual GFA, number of units and control period for the replacement units shall be in accordance with the HAP contract entered into with DCHA.</p>
<p>2. <u>Employment and Training Opportunities (§ 305.5(h))</u>.</p> <p>a. The Applicant will enter into a First Source Employment Agreement with the Department of Employment Services (“DOES”), which requires that the Developer use DOES as its first source for recruitment, referral and placement of new hires or employees for the new jobs created by the project, and will hire 51% of District of Columbia residents for all new jobs created; and 51% of apprentices employed in connection with the project shall be District residents registered in programs approved by the District of Columbia Apprenticeship Council.</p> <p>b. The Applicant will enter into a CBE Agreement with the District Department of Small and Local Business Development to ensure that a preference is made to District-based firms pursuing District government issued procurement opportunities. In accordance with the CBE Agreement, the Developer shall expend funds contracting and procuring goods and services from CBEs in the amount equivalent to no less than 35% of the Adjusted Development Budget for the project.</p> <p>c. <u>Job Fair</u>. The Applicant will host a job fair for residents of the Deanwood neighborhood and the Lincoln Heights and Richardson Dwelling communities. After construction of the project</p>	<p>B2.</p> <p>a. <u>Prior to the issuance of a Building Permit for the Project</u>, the Applicant shall submit to the Zoning Administrator a copy of the executed First Source Employment Agreement with DOES.</p> <p>b. <u>Prior to the issuance of a Building Permit for the Project</u>, the Applicant shall submit to the Zoning Administrator a copy of the executed CBE Agreement with DSLBD.</p> <p>c. <u>Prior to the issuance of a building permit for the PUD</u>, the Applicant shall submit to the Zoning Administrator evidence that a job fair for training and employment opportunities related to</p>

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<p>has begun, and prior to the issuance of a certificate of occupancy for the PUD, the Developer will host two additional job fairs for residents of the Deanwood neighborhood, Lincoln Heights and Richardson Dwellings. The job fairs will include applications for training and employment opportunities related to the construction and operation of the PUD.</p>	<p>the construction and operation of the PUD was hosted for residents of the Deanwood neighborhood and the Lincoln Heights and Richardson Dwelling communities. <u>After construction of the Project has begun, and prior to the issuance of a certificate of occupancy for the PUD,</u> the Developer shall host two additional job fairs for residents of the Deanwood neighborhood, Lincoln Heights and Richardson Dwellings. The job fairs will include applications for training and employment opportunities related to the construction and operation of the PUD.</p>
<p>3. <u>Environment and Sustainable Benefits (§ 305.5(k)).</u></p> <p>a. The PUD will meet the requirements of the <i>Enterprise Green Communities</i> standard for residential buildings. It will employ environmentally sustainable strategies as called for in the Green Communities standard such as high efficiency mechanical systems, lighting, and windows; low flow plumbing systems; and energy star appliances; low emitting and recycled construction materials; pervious pavement; an extensive upper green roof and an intensive green roof at the courtyard. The Applicant will promote a healthy environment for the buildings' residents by using safe non-toxic materials and properly ventilated spaces to prevent exposure to mold and other contaminants.</p> <p>b. The Applicant will incorporate solar panels on the roof of the building, as shown on the roof plan on Sheet A05 of the Plans.</p>	<p>B3.</p> <p>a. <u>Prior to the issuance of a final Certificate of Occupancy for the Project,</u> the Applicant shall furnish a copy of its preliminary 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 L08 of the Plans.</p> <p>b. <u>Prior to the issuance of a final certificate of occupancy for the Project,</u> the Applicant shall install solar panels on the roof of the building, as shown on Sheet A05 of the Plans.</p>
<p>4. <u>Transportation Demand Measures (§ 305.5(p)).</u> The Applicant agrees to implement the transportation demand measures provided in the memo prepared by Gorove/Slade Associates, dated January 29, 2018, and marked as Ex. 22A of the record, as modified by Sheets 35-36 of the Applicant's PowerPoint presentation, marked as Ex. 38 of the record.</p>	<p>B4. <u>During the operation of the building,</u> the Applicant shall provide a Transportation Management Program, as set forth in the TDM section of the memo prepared by Gorove/Slade Associates, dated January 29, 2018 (Ex. 22A). The TDM Plan shall include the following:</p> <p>a. The Applicant shall work with DDOT and goDCgo (DDOT's TDM program) to implement TDM measures at the site.</p>

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	<ul style="list-style-type: none"> b. The Applicant shall identify a TDM Leader (for planning, construction, and operations) at the building, who will act as a point of contact with DDOT/Zoning Enforcement with annual updates. The TDM Leader will work with residents to distribute and market various transportation alternatives and options. c. The Applicant shall share the full contact information of the TDM coordinator for the site with DDOT and goDCgo. d. The Applicant shall provide TDM materials to new residents in the Residential Welcome Package materials. e. The Applicant shall exceed the Zoning requirements to provide bicycle parking facilities at the proposed development. This includes secure parking located on-site and a minimum of 18 short-term bicycle parking spaces around the perimeter of the Site (in the form of 9 bicycle racks). f. The Applicant shall provide a bicycle repair station to be located in the secure long-term bicycle storage room. g. The Applicant shall install a Transportation Information Center Display (electronic screen) within the residential lobby of both residential buildings, which will contain information related to local transportation alternatives. h. The Applicant shall fund the expansion of at least four (4) docks to the existing Capital Bikeshare station at the intersection of Division Avenue and Foote Street, NE, at a maximum contribution of \$2,000. i. The Applicant shall work with a private carshare provider to place at least one (1) carshare vehicle on site, preferably in one of the three (3) on-site parking spaces at the eastern building. In the event that a carshare provider cannot be secured prior to the issuance of a final certificate

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	<p>of occupancy for the Project, the Applicant will offer a one-year Capital Bikeshare membership for each unit for the initial residents of the buildings.</p> <ul style="list-style-type: none"> j. The Applicant shall provide at least eight (8) shopping carts for residential use. k. The Applicant shall reserve at least three (3) parking spaces to be served by electric car charging stations. <p>B.5. To enhance safety for motorists and pedestrians in the vicinity of the Property, the Applicant shall fund and construct the following roadway network improvements, all subject to DDOT approval:</p> <ul style="list-style-type: none"> a. Remove the westernmost median break and eastbound left-turn lane on Nannie Helen Burroughs Avenue NE in the location of the existing curb cuts to be closed; b. Install signage on the eastbound and westbound Nannie Helen Burroughs Avenue approaches at Division Avenue restricting U-turns; and c. Install signage on the northbound 50th Street approach at Nannie Helen Burroughs Avenue NE restricting left-turns.
<p>5. <u>Uses of Special Value to the Neighborhood or the District as a Whole ((§ 305.5(q)).</u></p> <ul style="list-style-type: none"> a. The proposed development implements the "Physical Plan" element of the New Communities Initiative. Among other things, this small area plan calls for 140 replacement units for the Lincoln Heights and Richardson Dwellings properties, in order for those properties to be redeveloped with new mixed-income residential communities. b. <u>Space for Local Business.</u> The Applicant will set aside approximately 1,200 square feet of the ground floor retail/commercial space for neighborhood serving retail or services, with 	<p>B.6.</p> <ul style="list-style-type: none"> a. The Applicant shall set aside approximately 1,200 square feet of retail/commercial space at the ground floor of the building for neighborhood serving retail or services, with preference being given to a business or organization owned and/or operated by a Ward 7 SBE or CBE. <u>Prior to the issuance of a final certificate of occupancy for the retail space,</u> the Applicant shall furnish evidence to the Zoning Administrator that leasing of the space was marketed to businesses or organizations owned and/or operated by Ward 7 SBEs or CBEs. In the event, that the Applicant is unable to secure a Ward 7 SBE or CBE to

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<p>preference being given to a business or organization owned and/or operated by a Ward 7 SBE or CBE.</p> <p>c. <u>Retail Tenant Search</u>. The Applicant agrees to have a grocery store retailer as a primary focus of its retail tenant search. In the event the Applicant cannot attract a grocer to the Property, the Applicant agrees to market a portion of the retail space to a drug store and/or a fast casual restaurant.</p> <p>d. <u>Community Leadership Meetings</u>. The Applicant will meet monthly with community leadership to discuss updates on the development. The community leadership includes residents in proximity to the Property and organizations within the boundaries on ANC 7C, including but not limited to representatives of the Lincoln Heights, Richardson Dwellings, and Deanwood communities.</p>	<p>occupy the space within six months after the effective date of this Order, the space shall not be restricted to a Ward 7 SBE or CBE</p> <p>b. <u>Prior to the issuance of a final certificate of occupancy for the retail space</u>, the Applicant shall furnish evidence to the Zoning Administrator that leasing of the retail space in the PUD was marketed to a grocery store retailer. In the event the Applicant cannot attract a grocery store to the Property, the Applicant shall furnish evidence to the Zoning Administrator that leasing of a portion the retail space was marketed to a drug store and/or eating and drinking establishment. In the event, that the Applicant is unable to secure a grocery store, drug store, and/or eating and drinking establishment as a tenant within six months after the effective date of this Order, other types of permitted uses may occupy the retail space.</p> <p>c. <u>Prior to the issuance of a final certificate of occupancy for the Project</u>, the Applicant shall meet monthly with community leadership to discuss updates on the development. The community leadership includes residents in proximity to the Property and organizations within the boundaries on ANC 7C, including but not limited to representatives of the Lincoln Heights, Richardson Dwellings, and Deanwood communities.</p>
<p>6. <u>Loading Management Plan</u>: the Applicant has developed a loading management plan as follows:</p> <p>a. A loading manager will be designated by the building management. The manager will coordinate with residents to schedule deliveries and will be on duty during delivery hours.</p> <p>b. Residents will be required to schedule move-in and move-outs with the loading manager through leasing regulations.</p> <p>c. The dock manager will coordinate with trash pick-up to help move loading expeditiously between their storage area</p>	<p>B.7. <u>For the life of the Project</u>, the Applicant shall implement a loading management plan for the PUD as follows:</p> <p>a. A loading manager shall be designated by the building management. The manager shall coordinate with residents to schedule deliveries and shall be on duty during delivery hours.</p> <p>b. Residents shall be required to schedule move-in and move-outs with the loading manager through leasing regulations.</p> <p>c. The dock manager shall coordinate with trash pick-up to help move loading expeditiously between their storage area</p>

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<p>inside the building and the curb beside the loading area to minimize the time trash trucks need to use the loading area.</p> <p>d. Trucks using the loading area will not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT’s Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route System.</p> <p>e. The loading manager will be responsible for disseminating DDOT’s Freight Management and Commercial Vehicle Operations document to drivers as needed to encourage compliance with District laws and DDOT’s truck routes. The dock manager will also post these documents in a prominent location within the service area.</p>	<p>inside the building and the curb beside the loading area to minimize the time trash trucks need to use the loading area.</p> <p>d. Trucks using the loading area shall not be allowed to idle and must follow all District guidelines for heavy vehicle operation including but not limited to DCMR 20 – Chapter 9, Section 900 (Engine Idling), the regulations set forth in DDOT’s Freight Management and Commercial Vehicle Operations document, and the primary access routes listed in the DDOT Truck and Bus Route System.</p> <p>e. The loading manager shall be responsible for disseminating DDOT’s Freight Management and Commercial Vehicle Operations document to drivers as needed to encourage compliance with District laws and DDOT’s truck routes. The dock manager shall also post these documents in a prominent location within the service area.</p>
N/A	<p><u>Prior to the issuance of a building permit for the Project</u>, the Applicant shall enter into an agreement for the creation of a community benefits fund (the “Fund”). The purpose of the Fund is to provide grant monies and/or loans to fund façade improvements to buildings and business within the boundaries of ANC 7C. Under the agreement the Applicant shall contribute \$100,000 to the Fund. Said contribution may be paid in either a lump sum or in three (3) annual payments of \$33,333 per year. The initial payment to the fund shall occur <u>prior to the issuance of a building permit for the Project</u>.</p>

Residential Unit Type	Floor Area/ % of Total*	# of Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total	214,100/	183	Mixed			

	100%					
IZ Units**	21,410/ 10%	18	Up to 60% of MFI	Life of the Project	Rental	Required only if the IZ exemption request pursuant to 11- C DCMR § 1001.6 is denied.
Affordable Non-IZ / Replacement Units	70,650/ 33%***	Up to 61***	Up to 60% of MFI	Subject to the HAP Contract with DCHA* **	Rental	The amount of GFA, number of units, and Affordable Control Period is subject to the HAP Contract with DCHA***
Affordable Non-IZ	122,040/ 57% if the IZ exemption is granted, or 100,630/ 47% if the IZ exemption is denied.	Minimum of 86 if the IZ exemption is denied. Minimum of 104 if the IZ exemption is granted. The actual number to be determine d by the HAP contract.	Up to 60% of MFI	Life of the Project	Rental	All units that are not IZ Units, Replacement Units or Market Rate Units shall be Affordable Non-IZ units. Replacement Units shall become Affordable Non-IZ Units at the conclusion of the HAP Contract with DCHA.
Market	21,140/ 10%	18	Market Rate	Life of the Project	Rental	

* Refers to the residential gross floor area, but the floor area may be adjusted to subtract the building core factor.

** The IZ Units are only required if the IZ exemption is denied. .

*** These shall be replacement units for the Lincoln Heights and Richardson Dwellings communities. The HAP contract will determine the actual GFA, number of replacement units and the control period required for these units. At the conclusion of the control period, the former Replacement Unit shall convert to an "Affordable Non-IZ" unit.