

**COMMUNITY BENEFITS AGREEMENT**  
**APPLICANT'S COMMITMENTS TO**  
**ADVISORY NEIGHBORHOOD COMMISSION (ANC) 5B AND**  
**BROOKLAND NEIGHBORHOOD CIVIC ASSOCIATION (BNCA)**  
**ON PUBLIC BENEFITS AND PROJECT AMENITIES,**  
**Z.C. CASE NO. 21-\_\_**  
**HANOVER/REED STREET**

*Draft as of December 6, 2021*

The Applicant shall proffer the following public benefits and project amenities in Zoning Commission Case No. 21-\_\_.

1. **Housing and Affordable Housing:**

- a. The Applicant shall set aside approximately 15% of the residential gross floor area of the overall Project.
- b. The affordable housing shall be set aside as follows:
  - i. 5% of the GFA for households at 30% median family income ("MFI")
  - ii. 5% of the GFA for households at 50% MFI
  - iii. 80% of the GFA for households at 60% MFI
  - iv. 10% of the GFA for households at 80% MFI
- c. The Applicant shall provide one 3-bedroom affordable unit in each Phase of the Project.
- d. The affordable housing shall be administered by the Department of Housing and Community Development through the Inclusionary Zoning program. The affordable housing shall comply with all development standards, tenancy regulations and implementation requirements for Inclusionary Zoning units as set forth in DCMR Chapter 10 of Title 11-C and Chapter 22 of Title 14.

2. **Uses of special value to the neighborhood:**

- a. The Applicant shall contribute a total of \$100,000 to support projects at the Noyes Elementary School. Based on the initial input, the contributed funds may be split as follows: (1) \$65,000 to D.C. Public Schools to fund (a) upgrades to the auditorium (which doubles as a public meeting space), (b) upgrades to the science garden, (c) upgrades to the science lab classroom, and/or (d) other similar projects; and (2) \$35,000 to the Parent-Teacher Organization for teacher special projects, field trips and/or additional electronic equipment for classrooms (computers or iPads). (Phase I)
- b. The Applicant shall contribute \$20,000 to the Friends of Noyes Park, Inc. to fund identified improvements to Noyes Park. (Phase I)

- c. The Applicant shall contribute \$50,000 to Greater Brookland Intergenerational Village to fund identified projects and/or goods and services. (Phase I)
- d. The Applicant shall contribute \$30,000 to Greater Brookland Traditional Schools to fund identified projects and/or goods and services. (Phase I)
- e. The Applicant shall contribute \$20,000 to Zoe's Doors Youth Drop-in Center for the Mint Project to fund identified projects and/or goods and services. (Phase I)
- f. The Applicant shall contribute \$20,000 Mary House to fund identified projects and/or goods and services. (Phase I)
- g. The Applicant shall design Reed Street (Alley) to accommodate the incorporation of a seasonal Farmers Market. The Applicant shall also donate \$140,000 for the start-up costs associated with creation of the seasonal Farmers Market on Reed Street (Alley). (Phase II)
- h. The Applicant shall fund (to the Department of Parks and Recreation or to Friends of Noyes Park Inc.) up to \$50,000 for the creation of a dog park in ANC 5B (as the boundaries of the ANC exist on the date of this agreement). (Phase II)
- i. The Applicant shall contribute an additional \$50,000 to Greater Brookland Intergenerational Village to fund identified projects and/or goods and services. (Phase II)
- j. The Applicant shall contribute an additional \$30,000 to Greater Brookland Traditional School to fund identified projects and/or goods and services. (Phase II)
- k. In the event that any of the organizations designated to received funding (the "Designated Organizations") under Paragraphs 2(a)-(j) of this agreement either reject funding or are otherwise unable to receive the designated funding (the "Rejected Funding"), the Applicant shall in writing inform ANC 5B that the organization cannot receive funding and ask ANC 5B to reallocate the funds amongst the Designated Organizations to further projects, goods and services otherwise approved in the Applicant's Planned Unit Development Order. If ANC 5B fails to reallocate the funding within 90 days, the Applicant shall split the Rejected Funding between the Designated Organizations.
- l. The Applicant shall abide by the terms of the construction management plan for each phase of construction, as set forth in the draft Construction Management Plan attached hereto. The Applicant shall continue to work with the owners of property adjacent to the Site to address construction concerns as they arise during each phase of the Project.

3. **Transportation Features:**

- a. The Applicant shall realign and reconstruct Reed Street (Alley) through the Project with a connection to Franklin Street. The realignment includes the dedication of over 15,600 square feet of private property for roadway and sidewalk purposes. The roadway will be delivered prior to a final certificate of occupancy for Phase I.
- b. The Applicant shall install a Capital BikeShare station in a location to be determined by DDOT to benefit the community. (Phase II)
- c. The Applicant shall include electric vehicle ("EV") charging station in the parking area in an amount equal to 10% of the total number of parking spaces and will include electrical vehicle infrastructure (i.e., power, wiring, junction boxes, et.) to accommodate the charging equipment for up to an additional 10% of the number of parking spaces.
- d. The PUD shall include secure, long-term bike parking spaces in an amount equal to at least one (1) space for each three (3) residential units within the Project. The Project will also include a bicycle repair station within each Phase.
- e. The PUD shall include short-term bike parking spaces in an amount equal to at least one (1) space for each twenty (20) residential units within the Project to be provided in newly dedicated public space or adjacent private space.
- f. The Applicant shall prepare a Comprehensive Traffic Report in accordance with DDOT's standards and provide a copy to the community. Once the Applicant has provided the Comprehensive Traffic Report to DDOT, the Applicant will use commercially reasonable efforts to assist in facilitating discussion between DDOT and the community, if so requested.
- g. The Applicant shall propose to DDOT and install (if approved) the following transportation calming measures:
  - i. All way stop at Reed Street (Alley) and Evarts Street (Phase I);
  - ii. All way stop at 10th and Evarts Streets (Phase I);
  - iii. Incorporation of bump-outs on Reed Street (Alley) to narrow roadway and allow for better crossing in located identified on the Traffic Calming Plan (Phase I);
  - iv. Incorporation of bump-outs on 10th Street to narrow roadway and allow for better crossing in located identified on the Traffic Calming Plan (Phase I);
  - v. Addition of crosswalks, including raised crosswalks, throughout the Project, as shown on the Traffic Calming Plan (provided with each Phase as applicable);
  - vi. Limitation of right-in, right-out for the intersection of Reed Street (Alley) and Franklin Street (Phase I);

- vii. Prohibition of left turn from N/S alley to Franklin Street, appropriate signage and installation of bollards in the median of Franklin Street at that location (Phase I);
  - viii. Request DDOT and MPD to install a speed camera on the Franklin Street Bridge and a red light camera at 10th and Franklin Streets (Phase I);
  - ix. Pervious paver system within N/S and E/W alleys (Phase II); and
  - x. Bollard at the southern end of the N/S alley to limit cut through traffic (Phase II).
- h. If DDOT determines that a signal is warranted, the Applicant will install a traffic signal at the intersection of Franklin Street and Reed Street NE during Phase I concurrent with the realignment of Reed Street NE.
  - i. The Applicant shall implement a Loading Dock Management Plan which will include the designation of a Loading Dock Manager, whose contact information will be provided to the community when designated. Duties of the Loading Dock Manager will include the following: (i) monitor left behind debris from move in/move outs within in alley or area outside of the loading facility; and (ii) will clean the loading dock at least once a week and clean spilled over trash after each collection. No trash containers will be stored outside the Project buildings.
  - j. Under the current regulations, none of the Project buildings would be eligible for Residential Parking Permits (“RPP(s)”). The Applicant will not seek any RPP designation on streets or alleys that would allow residents of the Project to apply for RPPs. If any of the Project buildings become eligible for the RPP program in the future, the Applicant will include a lease rider on all leases thereafter that shall restrict tenants from obtaining RPPs.
4. **Environmental and sustainable benefits:**
- a. The Applicant shall submit with its building permit application for each Phase, a checklist evidencing that such Phase has been designed to LEED Gold standards under the LEED v4 Multifamily Midrise standard, which is specifically tailored to the unique aspects of multifamily buildings and includes prescriptive requirements for onsite testing and performance.
  - b. The Applicant shall incorporate solar panels to generate approximately 1% of the Project's total energy use.
  - c. The Applicant shall comply with DC’s stormwater management regulations. In addition to meeting DC’s requirements, the Applicant shall also repave the 10<sup>th</sup> Street and Evarts service alleys with pervious pavers as explained in more detail in Paragraph 5(e).

5. **Streetscape Plans and Creation of Open Spaces:**

- a. The Applicant shall dedicate in fee 10 feet of land fronting each Phase to create sidewalks and streetscape along the realigned Reed Street (Alley).
  - b. The Applicant shall construct a pedestrian-friendly streetscape abutting each Phase, including new paving for the sidewalks, street lighting fixtures, and new shade trees along Reed Street (Alley), subject to approved by DDOT. The entirety of Reed Street (Alley) currently includes no streetscape, sidewalk or plantings and none in planned for this area. The streetscape will be constructed with each Phase. The streetscape will provide a significantly enhanced corridor for the community to walk to the Rhode Island Avenue Metrorail Station.
  - c. The Applicant shall propose a Curb Management Plan for the design of the newly-created streetscape along Reed Street (Alley). As part of this plan, the Applicant will recommend metered parking and no-parking zones that can be used for short-term loading/unloading. The proposed plan will be submitted to DDOT for approval and will be implemented as finally approved by DDOT.
  - d. The Applicant shall install new streetscape along the south side of Franklin Street abutting Phase II-A and Phase II-B, subject to approval by DDOT. (Phase II)
  - e. The Applicant shall repave the existing 16-foot north-south alley parallel to 10th Street (from Franklin Street to Evarts Street) and the 20-foot east-west alley parallel to Evarts Street, west of Reed Street (Alley), with a pervious paver system which will improve stormwater management, serve as a traffic calming condition and aesthetically improve the condition of the alleys, subject to approval by DDOT. (Phase II).
  - f. The Applicant shall replace, or plant in existing tree boxes, up to five (5) street trees on 10th Street, subject to approval by DDOT. BNCA will be given an opportunity to select the trees. If they fail to do so within a prescribed time period, the Applicant shall select the five (5) street trees in the worst condition and replace those with new trees, subject to approval by DDOT. (Phase II)
  - g. The Applicant shall include Casey Trees to the bid list when seeking bids for the installation of street trees.
6. **Urban design and architecture site planning and efficient and economical land utilization:**
- a. The Project will replace underutilized industrial land near Metrorail with residential and Maker space with major enhancements to the pedestrian experience.
  - b. The Phase I and Phase II-B buildings have been designed to be compatible with the overall neighborhood, with the majority of the density being placed close to the existing WMATA tracks. Courtyards and setbacks break up the façade along Reed

Street (Alley) and create a pedestrian scale. The courtyards have been designed to align with backyards to reduce impacts to light and air.

- c. The Phase II-A building has been designed to be compatible with the abutting residential rowhomes. The building will include a 1:1 setback above the fourth story, with a maximum height of 65 feet. The habitable penthouse has been removed to reduce the overall height of the building.
  - d. Replacement of the underutilized sites with the Project constitutes a significant benefit because it will increase safety, result in aesthetic enhancements to the community, and replace a use that is not compatible with the surrounding residential community.
  - e. The PUD shall be developed in accordance with the architectural drawings prepared by HCM Architects, dated \_\_\_\_\_, 2022, marked as Exhibits \_\_\_ of the record, as modified by subsequent submission by the Applicant and the guidelines, conditions and standards of the PUD approval.
7. **Revisions to Public Benefits and Project Amenities:** The overall public benefits and project amenities are subject to change based on comments received from the Zoning Commission and the Office of Planning throughout the PUD process. The Applicant shall provide written notice of any changes to ANC 5B and BNCA. To the extent that there is any material change to the benefits identified in this CBA, the Applicant will return to ANC 5B and BNCA.