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September 30, 2009

Jamison L. Weinbaum
Director
Office of Zoning
441 4th Street, N.W.
Suite 210
Washington, DC 20001

Re: CONSENT CALENDAR
Proposed Minor Modification of a PUD
Zoning Commission Case No. 07-35 (Sheridan Terrace)

07-35B

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D.C. OFFICE OF ZONING
2009 SEP 30 PM 3:35

Dear Mr. Weinbaum:

This is a request for a Minor Modification of the Sheridan Terrace HOPE VI Planned Unit Development ("PUD") pursuant to the provisions of the Zoning Regulations at 11 DCMR Sec. 2409.0 and 3030.

The Applicant is the District of Columbia Housing Authority and the private development team of Sheridan Terrace Redevelopment, LLC. As the Commission will recall, the PUD is a new residential community of 344 dwelling units, including a 104 unit apartment building, 68 stacked townhomes units, 116 townhomes, and 56 units in 14 four-story walk up buildings 9 each having four units). The overall goal is to create a stable, mixed income residential community with an emphasis on quality, well-designed affordable housing.

Attached, as Exhibit A, is a copy of the Zoning Commission Order No. 07-35 approving the consolidated PUD. The Applicant appeared recently before the Commission for another minor modification that was approved on July 30, 2009. A final order in that case has not yet been issued but the Applicant's proposed order is attached hereto as Exhibit B.

With the proposed modification, the Applicant seeks to slightly modify the PUD boundaries, in two respects, in preparation for the start of construction in December 2009. The first modification concerns Lot 956 which is included in the PUD, and pursuant to the PUD, was to be improved with retaining walls. However, after further review, the Applicant ascertained that the entirety of lot 956 is not needed for the walls.

As a result, the Applicant subdivided Lot 956 into two new tax lots to separate the land which is necessary for the retaining walls from the excess land. Tax Lot 984 was created for the portion of Lot 956 which has the retaining walls and Tax Lot 983 for the excess land. The Applicant would now like to delete Lot 956 from the PUD, in order to consider it for future development, and add Lot 984. Exhibit C shows the new Lot 984, which has an area of 4,607 SF.

ZONING COMMISSION

District of Columbia

District of Columbia

CASE NO. 07-35B

EXHIBIT NO. 1

CASE NO.

EXHIBIT NO.

With the second modification, the Applicant seeks to add Lot 986 to the PUD site. Following PUD approval, the Applicant realized that a small amount of one retaining wall and a storm water management structure is located outside the approved PUD site on Lot 986. Lot 986 has an area of 4,136 SF. **Exhibit D** shows Lot 986.

The aforementioned boundary modifications will have no impact on the approved PUD FAR. As indicated, the deleted Lot 956 has an area of 4,607 square feet and the added Lot 986 has an area of 4,136. Given a total site area of 296,793 square feet (12 acres), the changes are essentially a "wash" and therefore inconsequential from an FAR standpoint.

We appreciate your expeditious consideration of this modification so that the Applicant can proceed with obtaining permits and starting construction in December.

Sincerely,

ARNOLD & PORTER LLP

Cynthia A. Giordano

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Attachments

Anthony Muhammad, Chairman ANC 8A
Gregg J. Justice III, Commissioner 8A06
Mary Cuthbert, Chairwoman, ANC 8C
Office of Planning
Kerry Smyser, DCHA
William Ellis, ANC 8C