

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director Development Review & Historic Preservation
DATE: May 13, 2016
SUBJECT: PUD Extension of Time Request – ZC 12-21A

Address:	3845 South Capitol Street, SW
Applicant:	Covenant Baptist United Church of Christ and Covenant Full Potential Development
Legal Description:	Square 6129, Lot 825
Ward/ANC	Ward 8, ANC-8D
Project Summary:	Consolidated PUD to renovate the two-story Covenant Baptist United Church of Christ building, demolish the church annex building and construct a new three-story building to house an educational and wellness center and 30 apartment units for seniors. Overall, the development would have 47,252 gross square feet of space (31,564 square feet of residential use and 15,688 square feet for church uses) resulting in a FAR of 1.05. The senior apartments would all be affordable at up to 60% of Area Median Income (AMI).
Order Effective Date:	April 18, 2014
Previous Extension:	None
Order Expiration Date:	April 18, 2016

PHOTOS OF SITE:



Current Photograph of Site



Photograph of Site in 2014

EVALUATION OF THE EXTENSION REQUEST

Section 2408.10 allows for the extension of a PUD for “good case” shown upon the filing of a written request by the applicant before the expiration of the approval; provided that the Zoning Commission determines that the following requirements are met:

- (a) The extension request is served on all parties to the application by the applicant, and all parties are allowed thirty (30) days to respond.**

The application submitted to the Zoning Commission is dated April 15, 2016 and has been in the public record since filing. As shown on the Proof of Service provided by the Applicant, ANC 8C and 8D have been served.

- (b) There is no substantial change in any of the material facts upon which the Zoning Commission based its original approval of the planned unit development that would undermine the commission’s justification for approving the original PUD.**

Zoning Regulations:

There has been no change in the Zoning Regulations that would impact the material facts upon which the Zoning Commission based its original approval.

Comprehensive Plan:

There has been no change to the Comprehensive Plan Future Land Use Map designation of the site for low density residential use.

Surrounding Development:

There have been no other recorded changes in the square or its immediate surroundings that would impact the Commission’s decision.

- (c) The applicant demonstrates with substantial evidence that there is good cause for such extension, as provided in § 2408.11.**

Section 2408.11 sets out the conditions of good cause as:

- (a) An inability to obtain sufficient project financing for the planned unit development, following an applicant’s diligent good faith efforts to obtain such financing, because of changes in economic and market conditions beyond the applicant’s reasonable control;*
- (b) An inability to secure all required governmental agency approvals for a planned unit development by the expiration date of the planned unit development order because of delays in the governmental agency approval process that are beyond the applicant’s reasonable control; or*
- (c) The existence of pending litigation or such other condition, circumstance or factor beyond the applicant’s reasonable control which renders the applicant unable to comply with the time limits of the planned unit development order.*

The Applicant states that the extension request is necessary because they have not been able to obtain the anticipated project funding. At the time of approval of the PUD, it was anticipated that

that the project would be financed in part by the Department of Housing and Community Development (DHCD) which issues funding for various projects on a yearly basis. When the PUD was approved in April 2014, the applicant was unable to meet the deadline for the application for funding submission on May, 9, 2014. The application for funding was submitted in 2015, was not selected, but was encouraged by DHCD to resubmit their proposal the following year. The applicant anticipates submitting their proposal to DHCD again on May 30, 2016 with an anticipated funding announcement in September 1, 2016. The Applicant anticipates filing for building permits in April of 2017 with construction beginning in October 2017. The applicant has provided supporting documentations regarding their efforts to secure funding.

In consideration of the evidence presented, OP recommends approval of the requested PUD time extension for ZC Order #12-21A from April 18, 2016 to April 18, 2018.

JS/mbr