

## MEMORANDUM

**TO:** District of Columbia Zoning Commission  
*JLS*  
**FROM:** Jennifer Steingasser, Deputy Director Development Review & Historic Preservation  
**DATE:** July 17, 2019  
**SUBJECT: Hearing Report - ZC # 15-20C (Sursum Corda)**  
Modification to First Stage PUD and Second Stage PUD

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This Office of Planning Hearing Report concerning Zoning Commission Case 15-20C is being submitted less than 10 days prior to the Zoning Commission's Public Meeting. The Office of Planning respectfully requests that the Commission waive its rule and accept this report into the record.

### I. APPLICATION

TBCS Owner I, LLC<sup>1</sup> (Applicant), submitted an application for a modification to the First Stage Planned Unit Development (PUD) and Second Stage PUD review to develop the South Parcel on the property known as the "Sursum Corda" between M Street, First Place, L Street, and First Street, NW. The new development would have residents of varying incomes, a mixture of residential unit types and sizes, retail and services uses, the development of a public park, recreational areas, open spaces and a promenade. The proposed modifications to the overall PUD and the development of the buildings on the South Parcel, would not be inconsistent with the First Stage PUD approval, the Comprehensive Plan, the Mid-City Small Area Plan or the Zoning Regulations. On February 25, 2019 the Zoning Commission set down the proposal for a public hearing.

### II. RECOMMENDATION

The proposed modifications to the First-Stage PUD would allow for the reallocation of the density between the North and the South Parcels, to change the building heights and massing and to consolidate two of the buildings resulting in two buildings on the South Parcel instead of the three approved in the First Stage PUD. The Second Stage review would be for the South Parcel and would include a total of 562 units of which 136 units would be reserved for former Sursum Corda residents. The redevelopment would benefit the existing residents and the neighborhood and would continue the revitalization and economic development that has begun in the neighborhood.

The Office of Planning (OP) recommends that the Zoning Commission approve the requested Modification to the First Stage PUD and Second Stage PUD for the South Parcel (Phase 1) subject to the following conditions being satisfied:

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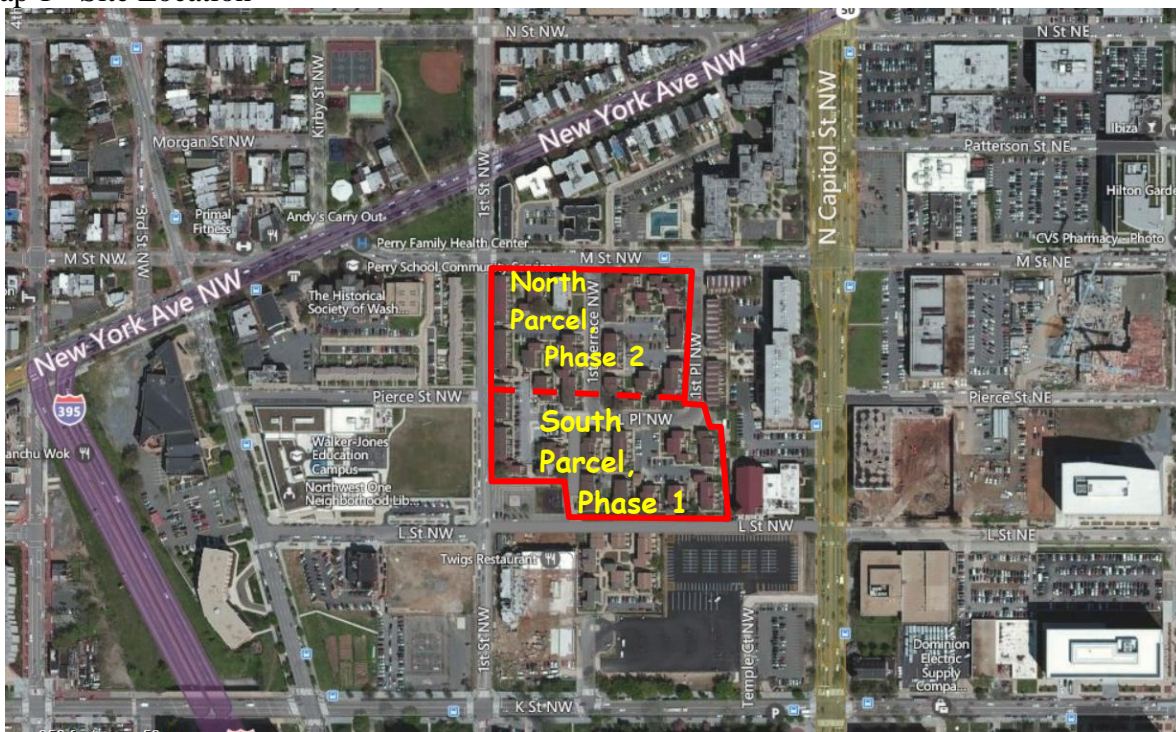
<sup>1</sup> The property was formerly owned by Sursum Corda Cooperative Association, Inc., 76 M Inc. and the District of Columbia.

- The applicant provides details of the general themes for the signage adding a specified range of fonts and colors that would be used;
- The applicant provides a table showing the unit/bedroom mix and that same bedroom mix noted in the table be explicitly included in the Order.
- That there be a documented commitment to provide a minimum square footage and number of affordable units in South Parcel buildings
- If the Zoning Commission determines that the First Source Agreement required in the First Stage PUD is no longer valid, the applicant provide a commitment to meeting the employment goals of the First Source Agreement.
- The amenity spaces be programmed with active uses to help maintain eyes on the area, particularly along the promenade; and
- That the architecture and materials be refined to read more residential especially as it faces the park.

### III. SITE AND SURROUNDING AREA

The overall PUD site, Square 620, Lots 250, 893-895, 895, 898, 900, 904 and 905<sup>2</sup>, is within the Sursum Corda neighborhood of Ward 6 and is generally bounded by M Street, NW, on the north, First Place, NW, on the east, L Street, NW on the south, and First Street, NW, on the west. The development site was formerly developed with a combination of the 199-unit Sursum Corda townhouses, the 14-unit, four story apartment building at 76 M Street, and two adjoining vacant parcels for a total land area of approximately 253,735 square feet or 6.7 acres. (Map 1). At this time, all buildings on the property have been demolished.

Map 1 - Site Location



<sup>2</sup> The site area approved by ZC15-20 was comprised of Square 620, Lots 250, 893, 894, 895, 898, 900, 904 and 905. Changes were made to some of the lots due to the extinguishment of lots, the closure of public streets, and the subdivision of lots.

#### IV. APPROVED FIRST STAGE PUD

The approved First-Stage PUD (Exhibit 2D) allowed for the creation of a new street grid which would include the closure, realignment or extension of internal streets and would include a new east-west Pierce Street, NW and the extension of First Place. Based on the new street grid, the property would be subdivided into two development parcels, north and south of Pierce Street and an eastern out parcel to be developed as a park. The parcels would be further subdivided into theoretical lots to accommodate the buildings (Exhibit 10A2, page A.13). The South Parcel would be comprised of theoretical lots, Lots 1A, 1B and 1C (Phase 1) while the North Parcel would be comprised of theoretical Lots 2A/2B and 2C/2D (Phase 2). Overall, the development was approved with approximately 1,296,165 square feet of residential use, generating approximately 1,131 dwelling units, and approximately 49,420 square feet of non-residential uses. In addition to the South Parcel, the first phase of the PUD will include the construction of Pierce Street, as a private street, and the green space on the east side of First Place.

A significant part of the redevelopment of the Sursum Corda property, would be the provision of 199 affordable units for households not exceeding 80% of MFI providing that the affordable units within the PUD not exceed 60% of MFI which shall be maintained for the life of the project. Of the 199 affordable units in the project, 136 would be reserved for current Sursum Corda households and would include a mix of studios to four-bedroom units. The Sursum Corda units would be provided at each household's income eligibility levels. The Order stipulates that the units for the Sursum Corda households be provided in Phase 1 of the development.

The Applicant was granted the following areas of flexibility to allow:

- Multiple buildings on a single record lot;
- A reduction in the side yard requirements on Building 1B;
- A reduction in the size of the loading berths from 55-feet to 30-feet;
- A  $\pm$  10% variation in the number of residential units;
- Variation in the number, location, and arrangement of parking spaces provided they do not exceed 746 spaces or go below that required by the Zoning Regulations;
- Variation of the sustainability design features provided the project meets the minimum LEED Silver certification.

#### V. PRIOR MODIFICATIONS TO ZC ORDER 15-20

Subsequent to the PUD approval of the First Stage PUD, the applicant has taken a number of actions regarding the development of the site.

1. ZC Order 15-20A – PUD Time Extension

ZC Order 15-20, Condition **D. Miscellaneous**, (1) approved the First Stage PUD until June 20, 2023 provided that the Second Stage PUD application for the South Parcel be filed by 2017. The applicant provided information as to why they could not meet that condition and requested a two-year extension. A two-year time extension extended the filing of the Second Stage PUD until June 16, 2017 (Exhibit 2E).

2. Order 15-20B – Modification of Consequence

The applicant requested modification to Condition B.2.a. and Condition B.2.e.i. to allow for the violation of required notifications to Sursum Corda Households to not result in the denial of a

raze permit, building permit, or certificate of occupancy for the PUD, effective September 14, 2018 (Exhibit 2F).

3. Street Closing and Street Dedication

DC Act 21-507, October 18, 2016 approved the closing of First Terrace, NW; L Place, NW; First Place, NW and the opening of a new First Place NW (Exhibit 2H).

**VI. PROPOSAL**

In this submission, the applicant has requested further modification to the Stage One PUD and a Stage 2 PUD review.

First Stage Modifications

The modifications to the First Stage PUD below were requested prior to and subsequent to set down.

1. Modification to the Theoretical Lots

The Applicant requests a modification to the theoretical lots (Exhibit 10A2, pages A.13 and A.13a) to provide the right-of-way dedication along First Street which led to a reduction in the area of Theoretical Lots 1A and 2A/2B. Theoretical Lots 1B and 1C would be combined to form a new Theoretical Lots 1B.

2. Modifications to the Buildings.

Along with the changes to theoretical lots, the density, massing and height of the buildings were further studied. A notable change would be the change from three to two buildings on the South Parcel. The approved 1,131 units would remain although flexibility of  $\pm 10\%$  is allowed by the First Stage PUD. The following is a summary of the changes to each building. The proposed changes would not create any new areas of flexibility and would be within the parameters of the approved First Stage PUD.

FIRST STAGE APPROVAL		MODIFICATIONS PROPOSED
<b>SOUTH PARCEL</b>		
South Parcel 3 buildings		South Parcel 2 buildings
<u>Building 1A</u> 8-story 72.45 ft. high 184,775 sf. 176 units		<u>Building 1A</u> 9-story 95.79 high 239,082 sf. 216 units
<u>Building 1B</u> 8-story 78 ft. high 194,900 sf. 182 units	<u>Building 1C</u> 6-story 65.75 ft. high 10,225 sf. 63 units	<u>New Building 1B</u> 8 to 10-story 88.5 ft. to 110 ft. 395,590 sf. 346 units
<b>NORTH PARCEL</b>		
<u>Building 2A/2B</u> 6-11- story 425,225 sf. 348 units		<u>Building 2A/2B</u> 6-11 story 349,627 sf. 280 units

<u>Building 2C/2D</u> 6-10 story 439,460 sf. 362 units	<u>Building 2C/2D</u> 6-10 story 361,286 sf. 289 units
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3. Modification to the Location of the Loading Access

In the First Stage PUD, access to the below grade loading area was from L Street. The entrance has now been relocated to First Street which is preferred as First Street would be a local street with less traffic. L Street currently has a 60-foot right-of-way width and is envisioned by DDOT to have a right-of-way of 90-feet, and would be an important east-west connection through NoMa accommodating a greater volume of vehicular traffic. Since there are no alleys, the less travelled L Street is preferable. The First Street entrance would still accommodate head-in head-out maneuvers and would meet design specifications of being located at least 60 feet from the intersection of First Place and L Street. OP is supportive of this request.

4. Modification to Condition B.2.c. of ZC Order No. 15-20 as follows:

FROM	TO																																										
<p>B.2.c.                      The Reserved Unit Mix. The Reserved Units shall be dispersed throughout the South Parcel and shall include the following unit mix:</p> <table border="1" style="width: 100%; margin: 10px 0;"> <thead> <tr> <th colspan="3" style="text-align: center;">Reserved Sursum Corda Mix</th> </tr> <tr> <th style="width: 15%;">No. of Units</th> <th style="width: 20%;">No. of Bedrooms</th> <th style="width: 65%;">Approximate Unit Size</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>Studio</td> <td>545 s.f..</td> </tr> <tr> <td>31</td> <td>1 bdrm</td> <td>635.7 s.f.</td> </tr> <tr> <td>53</td> <td>2 bdrm</td> <td>736.7 s.f.</td> </tr> <tr> <td>27</td> <td>3 bdrm</td> <td>979.1 s.f.</td> </tr> <tr> <td>10</td> <td>4 bdrm</td> <td>1,910 s.f.</td> </tr> </tbody> </table> <p>The unit mix may be adjusted to reflect the actual number of Sursum Corda Households, changes in the composition of the Sursum Corda Households, the number of households that elect not to occupy a reserved unit, and/or HUD standards relating to the number of bedrooms required for each household.</p>	Reserved Sursum Corda Mix			No. of Units	No. of Bedrooms	Approximate Unit Size	15	Studio	545 s.f..	31	1 bdrm	635.7 s.f.	53	2 bdrm	736.7 s.f.	27	3 bdrm	979.1 s.f.	10	4 bdrm	1,910 s.f.	<p>B.2.c.                      The Reserved Unit Mix. The Reserved Units shall be dispersed throughout the South Parcel and shall include the following unit mix:</p> <table border="1" style="width: 100%; margin: 10px 0;"> <thead> <tr> <th colspan="3" style="text-align: center;">Reserved Sursum Corda Mix</th> </tr> <tr> <th style="width: 15%;">No. of Units</th> <th style="width: 20%;">No. of Bedrooms</th> <th style="width: 65%;">Approximate Unit Size</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>Studio</td> <td>545 s.f..</td> </tr> <tr> <td>31</td> <td>1 bdrm</td> <td>635.7 s.f.</td> </tr> <tr> <td>53</td> <td>2 bdrm</td> <td>736.7 s.f.</td> </tr> <tr> <td>27</td> <td>3 bdrm</td> <td>979.1 s.f.</td> </tr> <tr> <td>10</td> <td>4 bdrm</td> <td>1,910 s.f.</td> </tr> </tbody> </table> <p>The unit mix may be adjusted to reflect the actual number of Sursum Corda Households, changes in the composition of the Sursum Corda Households, the number of households that elect not to occupy a reserved unit, and/or HUD standards relating to the number of bedrooms required for each household. <b><u>The final unit mix for the Sursum Corda Households shall be established in the Zoning Commission Order for the Stage 2 PUD</u></b></p>	Reserved Sursum Corda Mix			No. of Units	No. of Bedrooms	Approximate Unit Size	15	Studio	545 s.f..	31	1 bdrm	635.7 s.f.	53	2 bdrm	736.7 s.f.	27	3 bdrm	979.1 s.f.	10	4 bdrm	1,910 s.f.
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The returning Sursum Corda Households are to be accommodated on the South Parcel and the bedroom type and mix established in the First Stage PUD with no change in the proposed Second Stage PUD. The applicant has not provided a justification for the modification and is not clear what the additional language achieves.

5. Modification to Condition B.2.g. of ZC Order No. 15-20 as follows:

FROM	TO
<p>B.2.g.  <u>Conversion of Reserved Units.</u> In the event that a Sursum Corda Household: (i.) elects not to return to the Property to occupy a Reserved Unit or (ii.) fails to timely enter into an agreement for the occupancy of its Reserved Unit that is also an affordable unit, said unit may be converted to a market rate unit so long as the Applicant sets aside a corresponding amount of gross floor area for affordable unit on the North Parcel.</p>	<p>B.2.g.  <u>Conversion of Reserved Units.</u> In the event that a Sursum Corda Household: (i.) elects not to return to the Property to occupy a Reserved Unit or (ii.) fails to timely enter into an agreement for the occupancy of its Reserved Unit that is also an affordable unit, said unit may be converted to a market rate unit <b><u>(or units), or occupied as an affordable unit (or units), not restricted to a Sursum Corda Household. In the event that the Reserved Unit is converted to a market rate unit or units,</u></b> so long as the Applicant <b><u>shall</u></b> set aside a corresponding amount of gross floor area for affordable unit on the North Parcel.  <b><u>Notwithstanding the foregoing to the contrary, the unit mix shall be in accordance with the Zoning Commission Order for the Stage 2 PUD approval.</u></b></p>

OP is supportive of the request that any unclaimed unit reserved for Sursum Corda Returning Residents be converted to affordable units on the North Parcel. The converted units should be in addition to the required 63 affordable units on the North Parcel and recommends that they be at an AMI lower than 80%.

6. Modification to Condition B.7.b. of ZC Order No. 15-20 as follows:

FROM	TO
<p>Prior to the issuance of a <u>building permit for the PUD</u>, and subject to approval by the National Park Service or agency having jurisdiction over Lots 896 and 897 in Square 620, the Applicant shall install playground equipment valued at \$28,000 on Lot 896, subject to approval of the National Park Service or the agency having jurisdiction over Lot 896. If the Applicant is unable to obtain approval to install the playground equipment, it shall contribute \$28,000 to the National Park Service or the agency having jurisdiction over Lot 896 to install playground equipment at that location</p>	<p>Prior to the issuance of a <del>building permit for the PUD</del>, <b><u>certificate of occupancy for the South Parcel</u></b> and subject to <del>approval by the National Park Service or agency having jurisdiction over Lots 896 and 897 in Square 620</del>; <b><u>an agreement for the construction and maintenance of the park proposed for Lot 896 in Square 620</u></b> the Applicant shall install playground equipment valued at \$28,000 on Lot 896 <b><u>or 904 in Square 620</u></b>, subject to <del>approval of the National Park Service or the agency having jurisdiction over Lot 896</del>. If the Applicant is unable to obtain approval to install the playground equipment, it shall contribute \$28,000 to the National Park Service or the agency having jurisdiction over Lot 896 to install playground equipment at that location;</p>

The requested modification of this condition would allow for the installation of the playground equipment prior to the issuance of a certificate of occupancy instead of prior to the issuance of a building permit to allow the park to be available when the building is being occupied.

Installation of the park at the building permit stage would result in the park being completed and fenced off because it would be adjacent to an active construction site with safety concerns. OP is supportive of the requested modification.

#### 7. Modification to the GAR Checklist

The applicant requests flexibility to revise the GAR Checklist (Exhibit 22B17, Sheet L-06a) provided it meets the minimum requirement of 0.2. OP is supportive of the flexibility but encourages that any changes made would increase the GAR beyond the minimum 0.2.

### Second Stage PUD

The Second Stage PUD for the South proposes a development for a mixed-income, mixed-use community with 563 residential units, and 23,447 square feet of amenity/community and lobby space. Further, a 12,608 square feet green space/park would be provided on the easternmost portion of the site between First Place and the Mt. Airy Church for the resident and the greater community (Exhibit 22B1, Sheet A-03).

Generally, the development of the South Parcel, would consist of:

- Buildings 1A and 1B;
- the construction of Pierce Street to the north and First Place to the east;
- the dedication of 30-feet of right-of way for First Street on Theoretical Lot 1A; and
- Theoretical Lots 3A and 3B to the east of First Place to be developed a park.

#### Building 1A

Building 1A on the western portion of the South Parcel would be an inverted “U” shaped building consisting of approximately 239,082 square feet of space at a density of 6.04 FAR. The building would be 9 stories at a maximum height of 95.79 feet and a two-story amenity space and would accommodate 216 units and approximately 13,097 square feet of amenity /fitness/ lobby space. The main entrance into the building and lobby area would be off the promenade while a private courtyard and amenity spaces on the ground floor would front on and would flow seamlessly into the public park. The area around the exterior of the building and the private courtyard would be extensively landscaped with sitting areas within the courtyard.

The building would be a of a modern architecture with grey masonry cladding on the ground floor while the upper floor would be cantilever over the base and would be of medium grey panels with wood veneer accent panels and projecting bay windows. A two-story portion fronting on the park would have amenity space on the ground floor and a pool on the second floor overlooking the park. The two-story portion would contrast with the main portion of the building as it would be clad in a combination of wood veneer panels, glass, and a dark grey masonry.

OP is concerned that the dark-on-dark materials and lack of balconies give the building an institutional feel. The building façade facing the park lacks visual highlights and how the building meets the ground is somewhat unclear. OP recommends the development team revisit the design and materials.

### Building 1B

Building 1B on the eastern side of the South Parcel would consist of approximately 385,240 square feet of space at a density of 5.93 FAR. The building would range in height from 84.5 feet along L Street and a portion of First Place and up to 110 feet on the remainder of the building with eight to 10 stories<sup>3</sup>. The building would accommodate 346 units and 10,350 square feet of amenity/community/lobby space. The main entrance into the building and lobby area would be off the landscaped promenade. The building has been redesigned with six flats which would have direct access to L Street (Exhibit 15BA) and help to activate this portion of L Street. The building would surround a private courtyard which would extend to the promenade and out onto the public park. A significant amount of amenity space would be on the first floor of the building along the promenade. Building 1B would be of a similar style and architecture as Building 1A but on a larger scale. This building would introduce bays of white panel in a combination of wood veneer panels, glass, and a dark grey masonry.

### Parking, Loading, Bicycle Parking

Two levels of below grade parking with a total of 304 spaces to serve both buildings. The parking area would straddle both lots and operate as one facility with its entrance off First Place.

Similar to the parking, the loading facility, consisting of two, 30-foot loading berths, two, 200-foot loading platforms and two, 20-foot delivery spaces would be accessed from First Place. The loading area would provide space to enable on-site turnaround and allow for face-in face-out movements and thereby eliminating truck turning movements on First Place.

Two bicycle parking rooms are provided to accommodate a total of 198 spaces. The rooms would be accessed off First Place.

### Promenade

A significant feature of the development is a central promenade which would weave through the property from M Street on the north and culmination at the public park along L Street. Due to the change in topography from M Street down to L Street the promenade has been designed to provide pedestrian relief and making for a comfortable walk between the blocks and the buildings. To activate the area, the entrances to the buildings would be off the promenade along with amenity spaces, some of which would have outdoor seating. The spaces between the buildings would open up and be seamlessly integrated into the public park. The applicant has indicated a significant amount of “amenity space” on the ground floor of the buildings but not the location of each use.

### Park

Lots 3A and 3B (12,583 square feet) would be a park for residents and community. The park would front on First Place across from Building 1B and would be separated on the east from the Sibley development and the Mt. Airy Church by an alley/driveway. Extensive landscaping would separate the park from the driveway. The northern portion of the park would have a playground. The applicant at Exhibit 22B17, Sheet L-04d provide a conceptual layout and

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<sup>3</sup> The applicant states that they will submit an alternate Plan for Building 1B in their prehearing statement depicting a maximum height of 80 feet, based on the 60-foot width of First Place, if L Street is not widened from 40-feet to 90-feet prior to applying for a building permit.



playground equipment for the park development. The southern portion would be grassed and be more for passive recreation across from the church.

The property labelled as “public park” on the plans at the intersection of L and First Streets, NW is owned by the District and the applicant has an agreement to redevelop the site to encourage multigenerational use, integrate trees around a lawn that would provide shade for seating area, and provide an iconic gateway to the park.

**APPLICANT’S RESPONSES TO SET DOWN COMMENTS**

<b>Set down Comments (ZC/OP)</b>	<b>Applicant’s Responses</b>	<b>OP Comments</b>
Provide details about the uses proposed within the spaces identified as “amenity space.”	Since set down the First and L Street corner proposed for amenity space has been redesigned to accommodate flats. The remainder of the amenity spaces would accommodate a variety of uses including a health and wellness facility, a fitness center and pool, bike storage and maintenance, common areas with kitchen including space for cooking classes or special events.	OP has no objections to the introduction of flats and the uses identified as amenities for the tenants.
Provide details and standards for any signage that would be placed on the building.	The Signage Plan at Exhibit 22C provides the location, dimensions, and signage types proposed for the site overall site.	The examples of the signage do not portray a unifying signage theme but instead shows the use of various fonts and materials which are not identified.  The applicant has requested flexibility from the standards and it seems that only the size and location of the signs would not be open for change.
Removal of the transformers from the First Street right-of-way.	The transformers have been relocated to Pierce Street which is a private street.	OP has not objections to the use of Pierce Street for the transformers.
Consider adding balconies;	Instead of balconies other elements are used to give the buildings a residential design would include a variety in window sizes, recessed and projecting bay windows, projecting bays with open balconies and the combination of materials	OP believes that incorporating balconies would also provide residents with small outdoor spaces and help the building read more residential.

	used on the façade of the buildings.	
Provide an update on the Tenant Relocation and Replacement Plan and details on the required 63 IZ units; and	Exhibit – is a list of the 167 heads of household with names and place of residence provided by the Chairman of the Sursum Corda Cooperative Association, Inc. The plans also show the location and bedroom sized to accommodate the returning residents.	The applicant did not provide the details requested for the 63 IZ units and none are shown on the plans so it is assumed that they would all be provided in the North parcel. The applicant should provide a confirmation at the public hearing.
Consider the use of solar energy	Solar panels are provided on both buildings (Exhibit 22B3) and would account for approximately 1% of the energy for each building.	OP strongly supports the use of solar
Increasing the LEED Silver Certification to LEED Gold	The development will retain the LEED-NC certification but would strive to include other sustainable design features beyond the LEED-Silver standard such as solar panels.	Although LEED Gold certification is not being achieved the applicant has committed and outlined additional sustainable design elements in the materials, the use of native plants, higher efficiencies in mechanical, electrical and plumbing fixtures and materials to protect indoor air quality.

**VII. ZONING**

ZC Order 15-20 approved the First Stage PUD and PUD related map amendment for the C-3-A zone on the property and specified that the project and subsequent Second Stage applications be in accordance with the First Stage PUD. Subsequent to the First Stage PUD approval, the Applicant undertook more detailed studies and assessment for the development of the South Parcel which resulted in changes to what was approved in the First Stage PUD. The Applicant has requested modification to the Order to accommodate these changes. The proposed changes would remain within the parameters of the C-3-A zone.

Table 1 below, shows a comparison of the development parameters approved for the South Parcel at First Stage, the proposed modifications and the standards of the C-3-A/PUD.

	C-3-C PUD	Approved at Stage 1	Stage 2 Proposal
Area	15,000 sq. ft.	111,472 sf.	134,072 sf. (including Pierce Street) 106,338 sf. (excluding Pierce Street and First Street dedication)
Height	130 ft.	Building 1A -72.45 ft. Building 1B -78 ft. Building 1C – 65.75 ft.	Building 1A – 95.79 ft. Building 1B – 79.1 ft. to 110 ft.

	C-3-C PUD	Approved at Stage 1	Stage 2 Proposal
FAR	8.0	Building 1A – 4.13 Building 1B – 4.92 Building 1C – 3.73	Building 1A – 6.04 Building 1B – 5.93
Lot Occupancy	100%		100%
Rear Yard	2.5 in./ft. of height or 12 feet, whichever is greater  Building 1A – 14.06 ft. Building 1B – 14.06 ft. Building 1C – 13.70 ft.	Building 1A – 24.5 ft. Building 1B – 24.5 ft. Building 1C – 30.25 ft.	Building 1A – 21.6 ft. Building 1B – 30 ft.
Side Yard	If provided, must be a min. of 2 in./ft. of height or 6 feet, whichever is greater  Building 1A – 12.08 ft. Building 1B – 13.0 ft.	Building 1A – 12.08 ft. Building 1B – 12.08 ft. Building 1C – 31.5 ft.	Building 1A – 12.08 ft. <b>Building 1B – 12.08 ft. (13 ft. required flexibility requested)</b>
Vehicular Parking	Residential 1 per 4 du = 284  Retail/office In excess of 3,000 sf., 1 per 750 sf. of gfa and cellar area = 47 spaces  Services 1 per 600 sf = 14  Total = 345	Total Proposed = 272	Total Proposed = 306
Bicycle Parking	Long Term 1/3 dwelling units = 141  Amenity Space 5% of required parking = 1	183	189
Loading	Residential 3, 55 ft. loading berth 3, 200 ft. platform 3, 10 ft. delivery space  None required for the amenity spaces	3, 30 ft. loading berth 3, 200 ft. platform 3, 10 ft. delivery space	2, 30 ft. loading berth 2, 200 ft. platform 2, 10 ft. delivery space
GAR	0.2	0.2	0.2

### VIII. FLEXIBILITY

The Zoning Tabulation sheets at (Exhibit 22A2, Sheets A.12 – A.15) outline the basic parameters approved for the development and changes made because of going from three to two buildings on the South Parcel. The buildings would continue to meet the Zoning development standards except for on Building 1B a side yard of 13 feet is required but 12.08 feet is provided.

The Applicant was granted flexibility to have consolidated parking and loading facilities in the event that each building is constructed on its own lot. The buildings would be constructed on their own lot with the parking and loading consolidated to serve both buildings.

In the First Stage PUD, the applicant was granted flexibility to reduce the required 55-foot berths to 30-foot berths. The proposal would provide two, 30-foot loading berths instead of the required two, 55-foot berths in this modified proposal. The Applicant states that for the anticipated mix of unit types, sizes and the service uses, the proposed loading facilities would be adequate. The applicant continues to work with DDOT and will be further discussed in their report.

The applicant has requested flexibility in the following areas for South Parcel:

1. *To be able to provide a range in the number of residential units for Building 1A of plus or minus 10% from the 216 units proposed for that building.*
2. *To be able to provide a range in the number of residential units for Building 1B of plus or minus 10% from the 346 units proposed for that buildings.*

OP supports this flexibility provided the reductions do not result in a reduction in the number of affordable units, their unit sizes or general distribution throughout the buildings.

3. *To vary the number, location, and arrangement of parking spaces, provided that the maximum number of parking spaces for the South Parcel does not exceed 346 parking spaces and the minimum number of parking spaces is not reduced below the number required for the South Parcel under the Zoning Regulations.*

OP supports this flexibility.

4. *To vary the sustainable design features of the building, provided the project meets a minimum of LEED-Silver certification.*

The applicant has included the uses of solar panels and other sustainable designs that would be beyond LEED-Silver certification. OP continues to encourage the applicant to consider a LEED Gold standard.

5. *To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, and mechanical rooms, elevators, escalators, and toilet rooms elevators, provided that the variations do not change the exterior configuration of the building.*

OP supports this flexibility.

6. *To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges proposed in the Plans.*

OP supports this flexibility.

7. *To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior design shown on the Plans; examples of exterior details would include, but are not limited to, doorways, canopies, railings, and skylights.*

OP supports this flexibility.

8. *To vary the font, message, logo, and color of the proposed signage, provided that the maximum overall dimensions and signage materials do not change from those shown on the Plans.*

The Applicant has provided dimensions and locations for signage. However, there is not a cohesive signage theme of fonts and colors to be used. The applicant should provide these to complete their signage plan.

## **IX. PUD EVALUATION STANDARDS**

The PUD was approved under the ZR 58 Regulations, which, at 11 DCMR, Chapter 24 outlines the purpose and standards for Planned Unit Developments. Section 2400.1 states that a PUD is “*designed to encourage high quality developments that provide public benefits.*” The First Stage PUD established that the proposal would be of a high quality and would provide significant public benefits that it would protect and advances the public health, safety, welfare, and convenience.

Section 2403 further outlines the standards under which the application is evaluated.

*2403.3 The impact of the project on the surrounding area and the operation of city services and facilities shall not be found to be unacceptable, but shall instead be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project.*

The impacts from the redevelopment of the site include an increase in traffic as a result of the size of the development, and an increase in demand on public utilities such as water, sewer and public stormwater management systems. Some residents may not qualify to return or choose not to return.

There is a detailed Tenant Relocation and Replacement Plan that addresses the unique characteristics of the cooperative ownership of Sursum Corda. While the development has these impacts on city services, the impacts would be significantly mitigated, and other quality benefits would accrue from the new development including new and improved greenspace and play areas, and new market rate and affordable housing.

### **Public Benefits and Amenities**

The objectives of a PUD are to permit flexibility of development in return for the provision of superior public benefits, provided the PUD process is not used to circumvent the intent and purposes of the Zoning Regulations, or result in an action inconsistent with the Comprehensive Plan. The South Parcel was approved for a FAR of 4.31 when Pierce Street, a private street, is excluded. The modified development on the South Parcel would have a FAR of 5.97 (excluding Pierce Street and dedicated right-of-way), remaining within the 8.0 FAR allowed in the C-3-C/PUD zone.

Housing and Affordable Housing

The proposed redevelopment would replace housing that had deteriorated over the years and been deemed not safe. The South Parcel would consist of 562 apartment units of which 136 units would be set aside specifically for Sursum Corda families. The remaining 426 market rate units would be a combination of seven-unit types ranging from studios to three-bedroom units at an average unit size of 554.6 square feet up to 1,482.1 square feet as shown on the table below.

Number of Bedrooms	Average Unit Size Proposed
Studio	554.6 sf.
1-bedroom (Junior)	635.7 sf.
1-bedroom	736.7 sf.
1-bedroom+Den	979.1 sf.
2-bedrooms	1,910 sf.
2-bedroom + Den	1,326.9 sf.
3-bedrooms	1,482.1 sf.

A key feature of the Sursum Corda First Stage PUD was the plan for the relocation of the Sursum Corda families and the plan for their return. The First Stage PUD approved 199 or 17% affordable units. Of these units, 136 units would be replacement units specifically for current Sursum Corda families and the remaining 63 would be Inclusionary Zoning units.

If a Sursum Corda resident decides not to return, the unit would be converted to a market rate unit in the first phase and an additional affordable unit would be added in a subsequent phase; if no Sursum Corda residents return there will still be 199 affordable units within the property. In the revised submissions the unit mix was not updated.

**OP recommends that the applicant provide a table showing the unit mix and that same bedroom mix noted in the table be explicitly included in the Order.**

The Order required that the “Reserved Units”<sup>4</sup> be provided within Phase 1 of the redevelopment. As approved, the mix of Sursum Corda units would be as shown on the table below and would be distributed between Buildings 1A and 1B on the South Parcel. The following table shows the distribution of the units for the returning Sursum Corda residents.

Number of Units	Number of Bedrooms	Approximate Unit Size	Average Unit Size Proposed
15	Studio	545 sf.	561.4 sf.
31	1-bedroom	715 sf.	740 sf
53	2-bedrooms	1,100 sf.	1,260 sf.
27	3-bedrooms	1,390 sf.	1,424 sf
10	4-bedrooms	1,580 sf.	1,714.4 sf.

Exhibit 22B2, Sheets A-06 to A-12 show the equitable distribution of the Reserved Units by unit size throughout each building and on each floor. The applicant provided an update on the names and address of the relocated tenants. The required 63 IZ units would be located in the North Parcel along with additional units generated from any of the Reserved Units that is not be taken.

<sup>4</sup> Units for the returning Sursum Corda Residents

Urban Design, Landscaping or Creation of Open Spaces

The buildings have been designed to be integrated with and have appropriate transitions to the surrounding residential and institutional community. The new layout would incorporate open spaces and a better street layout which would provide better access to surrounding streets to make the area safer. The courtyards, promenade, the public park and open green areas would be extensively landscaped for passive recreation as well as community socialization. Many of court areas have direct access to units on the lower floor to provide eyes on the open spaces. The central promenade would be extensively landscaped to move pedestrians through the site at a relaxing pace. It also provides a garden area which transitions to the public park.

Retail and Service Uses

An 1,850 square foot space has been reserved for a for a potential retail/commercial use in lieu of amenity space on the ground floor of the southwest corner of Building 1A. No particular retail us has been identified. The Applicant has identified as “amenity space” along the promenade and fronting on the public park. The applicant proposes that the amenity spaces would house a health and wellness center, kitchen accommodations including space for cooking classes or could be reserved by tenants for special events.

**OP recommends that the amenity spaces be programmed with active uses to help maintain eyes on the area, particularly along the promenade.**

Environmental Benefits

The environmental benefits approved in the First Stage PUD included LEED-Silver Certification, two parking spaces reserved for car-sharing service and seven electric car charging stations would be in this phase of the development. A preliminary GAR checklist is provided and shows a score 0.2 which is the minimum. The development would have a total of 4,466 square feet of green roof on both buildings. The required stormwater management systems provided would be through roofs, bioretention facilities and the maximization of pervious areas through a mix of lawn areas and planting beds. The Applicant is also providing solar panels which would account for 1% of the energy use on the sites.

**OP continues to encourage the applicant to integration additional environmental and sustainable measures that would be consistent with and supportive of The Clean Energy DC Plan.**

Vehicular and Pedestrian Access

The new street grid, sidewalks and bicycle access would make for much safer movements through the new community as well and connecting to the surrounding neighborhood. Improvements to the street pattern would be done in this phase of the development and would include a new Pierce Street which would be a private street, a reconfigured and improved First Place and an improved L Street to include a two-way drive isle, new curb and gutter, associated sidewalk, landscaping and connection to First Place. The Applicant will also provide a number of traffic mitigation measures such as a TDM Plan to assist in the reduction in the number of vehicular trips including an increased number of bicycle spaces and the provision of a Capitol Bikeshare station. The DDOT report will further address this issue.

First Source Agreement

The Stage One approval requires the applicant enter into a First Source Employment Agreement with the Department of Employment Services (DOES) in the first phase of the development.

The applicant states that the agreement was with a former developer. Additionally, the First Source requirements have changed and are only applicable to developments which receive government assistance in excess of \$300,000. The applicant states that they are not requesting that assistance. The applicant is therefore requesting that the Zoning Commission provide a determination as to whether they need to meet the requirement of the First Stage PUD.

**This development is of a substantial size and importance which would generate a substantial amount of employment, therefore OP encourages the applicant demonstrate a commitment to provide employment to District residents even if not under a First Source Agreement with DOES.**

*Uses of Special Value to the Neighborhood*

At Stage I, the Applicant worked with ANC-6E and other organizations and committed to provide one-time donations of the following items for the benefit of youths in the neighborhood. The following item has to be provided prior to the issuance of the building permit for the PUD. To date, the applicant has made a partial payment to the Boys and Girls Clubhouse #2 and full payment to the Perry School.

1. \$222,000 to Boys and Girls Clubhouse #2 support the operations of the programs - **\$100,000 provided;**
2. \$60,000 to the Perry School to support the operations of its programs - **Provided;**
3. \$25,000 to the Walker-Jones Parent Teachers Association to assist in funding for school activities and the purchase of classroom equipment;
4. \$15,000 to the Girls in Action at the Sursum Corda Youth Center to support the operations of the programs;
5. \$25,000 to the Dunbar High School Parent Teachers Association to assist in funding for school activities and the purchase of classroom equipment;
6. \$10,000 worth of equipment and uniforms to for programs at the RH Terrell Recreation Center.
7. \$15,000 to support programming at the Northwest One Library.
8. \$28,000 to install playground equipment on the National Park Service park.

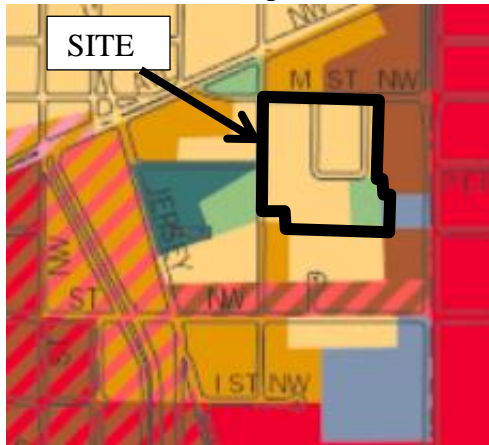
The former Sursum Corda development was completed in 1970 and was one of the few cooperatives where the residents owned the property and buildings in the District of Columbia. Records indicate that the development was home to many families who remember the good and troubled times at the development. To honor the history of the property the applicant has agreed to work with Cultural Tourism DC to provide, prior to the certificate of occupancy for the South Parcel, a plaque, artwork, mural or similar element in an interior courtyard.



## X. COMPREHENSIVE PLAN

The Future Land Use Map designates the site for moderate density residential and Parks, Recreation, and Open Space while the Generalized Policy Map designated the site as a Land Use Change Area. In addition, the Mid-City Small Area Plan identifies high density residential and medium density commercial uses as appropriate for the property. As specified in the Comprehensive Plan, Small Area Plans supplement the Comprehensive Plan by providing detailed direction for focused areas (10 DCMR Section 104.8). At the First Stage, the Zoning Commission found that the requested PUD and accompanying map amendment from the R-4 zone to the C-3-C zone is not inconsistent with the Comprehensive Plan (“the Plan”).

Future Land Use Map



Generalized Policy Map



### Mid-City Small Area Plan

During the planning exercises for the Mid-City Small Area Plan there were extensive discussions on the redevelopment of Sursum Corda and at pages 72 and 73 states:

*Today members of the cooperative are actively working on a higher density redevelopment plan for Sursum Corda that would increase the number of housing units on site, and create a mix of additional uses including retail or increase affordable units on the site as part of that development. The site is adjacent to higher density development across North Capitol Street to the east (NoMa) and in the Mount Vernon Triangle district to the west, making it reasonable to adjust the land use designation to allow for greater density and height at the site. This would enable co-op members to retain affordable units as part of the redevelopment effort.*

*Sensitivity to lower density buildings to the north and south suggests that the redevelopment’s massing should step down towards those existing buildings. The development also offers the opportunity to integrate sustainable design strategies including LID stormwater management, reestablish the street grid, extend Pierce and L Street, and create a significant green/park space and other amenities for community use.*

A vision of the Mid City East Small Area Plan is that “Mid City East will prosper as an inclusive community with a strong neighborhood fabric, thriving businesses, and a diverse mix of quality housing options.” A goal of this vision is to “Support the redevelopment of Sursum Corda.”

The SAP further recommends:

*“Commercial Revitalization, Redevelopment.*

- *Change the future land use designation for Sursum Corda from moderate density residential to high density residential and medium density commercial.*

*Development under the new land use designation should be achieved through a Planned Unit Development and encourage the development of a mixed income neighborhood through:*

- 1. The provision of 199 affordable units within the project at varying levels and types of subsidies not to exceed 60% of AMI;*
- 2. The addition of market rate units that will represent at least 66% of the total units developed on site.*
- 3. Reflect the height and scale of existing neighborhood developments, including the SeVerna. Development on the Sursum Corda site should step down towards First Street NW towards Mt. Airy Baptist Church, and step up towards North Capitol Street NW.*
- 4. Extend the street grid, including L Street NW from First Street NW to North Capitol Street, NW and Pierce Street, NW between First Street NW and First Place NW.*
- 5. Include sustainable development components such as green/park spaces and other community amenities*

The redevelopment of the site was discussed at the time of the SAP and the density and height were considered to be appropriate for the redevelopment of the site. The SAP also included specific recommendations for the improvement and protection of the surrounding neighborhood. The Applicant has included and addressed all the above cited recommendations in the proposal and is therefore not inconsistent with the SAP.

The proposed development also meets or furthers many of the policies of the Comprehensive Plan as outlined below.

### **Chapter 3 - Land Use Element**

#### ***LU-2.1.3: Conserving, Enhancing, and Revitalizing Neighborhoods***

*Recognize the importance of balancing goals to increase the housing supply and expand neighborhood commerce with parallel goals to protect neighborhood character, preserve historic resources, and restore the environment. The overarching goal to “create successful neighborhoods” in all parts of the city requires an emphasis on conservation in some neighborhoods and revitalization in others.*

The proposed redevelopment of the Sursum Corda residence would greatly benefit the existing residents and would offer the opportunity for additional affordable units as well as market rate units. The proposal would create a new mixed income community and the introduction of other commercial and service use to serve the residents of the new Sursum Corda as well as to continue the revitalization of the expanding neighborhood.

#### ***Policy LU-2.2.4: Neighborhood Beautification***

*Encourage projects which improve the visual quality of the District’s neighborhoods, including landscaping and tree planting, facade improvement, anti-litter campaigns,*

*graffiti removal, improvement or removal of abandoned buildings, street and sidewalk repair, and park improvements.*

The proposed development would greatly improve the visual quality of this neighborhood through improved buildings as well as the increased landscaping, useable open spaces, better streets and pedestrian connectivity. Buildings would be scaled with a massing that would lessen potential impacts on adjacent residential developments.

#### **Chapter 4 - Transportation Element**

##### ***T-2.3.1: Better Integration of Bicycle and Pedestrian Planning***

*Integrate bicycle and pedestrian planning and safety considerations more fully into the planning and design of District roads, transit facilities, public buildings, and parks.*

##### ***T-2.4.1: Pedestrian Network***

*Develop, maintain, and improve pedestrian facilities. Improve the city's sidewalk system to form a network that links residents across the city.*

The location is in close proximity to a number of transit bus routes. The proposal would introduce a new street grid into the development that would allow better internal circulation as well as provide additional connections to the external streets. Along the streets and throughout the development there would be a pedestrian and bicycle network that would link the neighborhood internally and externally.

#### **Chapter 5 - Housing Element**

##### ***H-1.1.5: Housing Quality***

*Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood.*

The Sursum Corda would be developed with 1,131 units of which 199 would be affordable and would be in a variety of unit types from studios to four-bedroom units. The Phase One development would have 562 units of which 136 units would be reserved for returning Sursum Corda residents. As shown on the Plans, reserved units would be of comparable size to the market rate units and would be distributed throughout the two buildings. Open space and active recreational spaces would be integrated in the new community and would not negatively affect adjacent developments. In fact, some of the park and recreational facilities within the development would be accessible to residents within the neighborhood.

##### ***H-1.2.1: Affordable Housing Production as a Civic Priority***

*Establish the production of housing for low and moderate income households as a major civic priority, to be supported through public programs that stimulate affordable housing production and rehabilitation throughout the city.*

One of the highest priorities of this development is to provide housing for the former Sursum Corda residents, the majority of which are low income household. As approved in the First Stage PUD 136 units would be reserved for former Sursum Corda residents. An additional 63 affordable units would be provided in the second phase of the development. The return of the residents would be supported through vouchers from DCHA.

***H-1.2.3: Mixed Income Housing***

*Focus investment strategies and affordable housing programs to distribute mixed income housing more equitably across the entire city, taking steps to avoid further concentration of poverty within areas of the city that already have substantial affordable housing.*

The redevelopment of Sursum Corda would be a mixed income community. The development would provide a total of 199 affordable units and 932 market rate units. Of the affordable units, 136 units would be for returning residents. All 136 units for returning residents would be provided in this phase and would consist of studios to four-bedroom units. The units would be distributed throughout both buildings and on all levels

**Chapter 6 - Environment Protection Element**

***E-1.1.1: Street Tree Planting and Maintenance***

*Plant and maintain street trees in all parts of the city, particularly in areas where existing tree cover has been reduced over the last 30 years. Recognize the importance of trees in providing shade, reducing energy costs, improving air and water quality, providing urban habitat, absorbing noise, and creating economic and aesthetic value in the District's neighborhoods.*

***E-1.1.3: Landscaping***

*Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity.*

A large infusion of trees would be provided along the streets as well as internal to the development. The trees and extensive landscaping would be a significant improvement over the former stark urban area and would be an aesthetic value of the development.

***E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff***

*Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces.*

The redeveloped site would incorporate many environmentally sensitive assets such as green roofs, bioretention areas, permeable pavers, LID and other stormwater management practices to improve water quality and stormwater runoff. Additional landscaping including grass, shrubs and trees would be introduced around the buildings and in open spaces.

**Chapter 9– Urban Design**

***UD-2.3.1: Reintegrating Large Sites***

*Reintegrate large self-contained sites back into the city pattern. Plans for each site should establish urban design goals and principles which guide their subsequent redevelopment.*

The proposed redevelopment of Sursum Corda introduces a new street grid that connects to the surrounding community. The buildings and their siting would be compatible to the topography of the site as well as the adjacent residences and institutional uses. The building designs and tapered height would be complementary to buildings in the area and could set a standard for future development in the neighborhood.

**XI. AGENCY COMMENTS**

The application was submitted to the following District agencies for comments. The following are the responses:

- District Department of Transportation (DDOT) - A report will be submitted under separate cover.
- Fire and Emergency Medical Services Department (FEMS) - A report was submitted at Exhibit 24.
- Department of Energy and the Environment (DOEE) – DDOE submitted the following comment via email to OP: “DOEE has already approved this project for approved it for GAR and SWM. We see the plans include solar panels on the roof. The only thing we would suggest is the developer look into installing conduits and infrastructure needed to provide Electric Vehicle charging stations in the below grade parking garage. I didn’t see any mention of them in “Section D. Circulation, Parking, and Loading on page 11 of the Supplemental Statement filed on July 5<sup>th</sup>.”  
 OP notes that Exhibit 23F, Sheet A-05, shows electric vehicle charging stations within the parking garage.
- DC Water reviews projects during building permit review.

**XII. COMMUNITY OUTREACH**

The Sursum Corda Cooperative has had many meetings, discussions and presentations to its members and will continue the dialogue throughout the process. The property is within ANC-6E and has submitted a letter in support of the proposal at Exhibit 14.

**XIII. SUMMARY OF OP COMMENTS ON FIRST STAGE CONDITIONS**

The following summarizes OP comments on how the proposal meets the conditions outlined in the First Stage PUD with associated Modifications:

ZC 15-20 Conditions	OP Comments
<b>A. Project Development</b>	
1. The PUD shall be developed in accordance with the plans titled “Sursum Corda Cooperative,” prepared by Boggs & Partners Architects, dated April 15, 2016, and marked as Exhibits 56A1-56A5 of the record (the “Plans”).	Generally, the development would be consistent with April 15, 2016 approved plans except to areas where modifications are requested due to more detailed analysis of the development and a change in ownership. However, the intent of the approved plans has been maintained.
2. In accordance with the Plans, the PUD will have an overall density of 4.62 FAR, including the area for Pierce Street, and 5.24 FAR excluding the area for Pierce Street. The building heights for the project will range from 62.5 feet to 110 feet.	The Applicant has requested amendments to the First Stage which would result in an overall density of 4.62 FAR, including the area for Pierce Street, and 5.52 FAR excluding the area for Pierce Street. The building heights for the project will range from 84.5 feet to 110 feet.

<p>3. The Applicant is granted flexibility from the loading requirements (11 DCMR § 2201.1); the side yard width requirements (11 DCMR § 775.5); the requirements for the number of buildings on a single record lot (11 DCMR § 2516) consistent with the Plans and as discussed in the Development Incentives and Flexibility section of this Order, and a waiver from compliance with the Inclusionary Zoning Regulations set forth in Chapter 26.</p>	<p>The applicant requested modification to the loading requirements in the Phase 1 development to provide 30-foot loading berths instead of the required 55-foot berths.</p>
<p>4. The Applicant shall also have flexibility with the design of the PUD in the following areas:</p> <ul style="list-style-type: none"> <li>a. To be able to provide a range in the number of residential units of plus or minus 10% from the 1,131 proposed for the development;</li> <li>b. To vary the number, location, and arrangement of parking spaces, provided that the maximum number of parking spaces for the PUD does not exceed 746 parking spaces and the minimum number of parking spaces is not reduced below the number required under the Zoning Regulations; and</li> <li>c. To vary the sustainable design features of the building, provided the project meets a minimum of LEED-Silver certification.</li> </ul>	<p>The Applicant proposed no changes to the requested flexibility.</p>
<p><b>B. Public Benefits</b></p>	
<p>1. <u>Affordable Units</u>  <b>For the life of the project</b>, the PUD shall include 199 affordable housing units on-site, which includes those units reserved for the current Sursum Corda Households with incomes up to 80% AMI. The affordable units for the PUD shall be reserved for and available to households with incomes not exceeding 80% AMI, provided that the overall blended affordability limits for the affordable units within the PUD shall not exceed 60% AMI. Further, the PUD shall maintain an overall blended affordability level of 60% AMI for the life of the project.</p>	<p>The Applicant proposes no changes to the number of affordable units and their affordability.</p>
<p>2. <u>Sursum Corda Households</u>  <b>Prior to the issuance of a Certificate of Occupancy for the South Parcel</b>, the Applicant shall provide evidence to the Zoning Administrator that it has completed the following:</p> <ul style="list-style-type: none"> <li>a. <u>Reserved Units. The Applicant shall construct 136 residential units on the South Parcel during the first phase of development for the PUD,</u></li> </ul>	<p>In the proposed Phase 1 development, 136 units would be provided within the two buildings for returning Sursum Corda residents. All the buildings on the site has been demolished and the applicant states that the former Sursum Corda residents were notified.</p>

<p>which shall be reserved for current Sursum Corda households currently residing at the Property (“Sursum Corda Households”) (the “Reserved Units”). Upon application of a raze permit for any of the existing structures on the Property, the Applicant shall certify to the DCRA the list of Sursum Corda Households and their contact information;</p>																						
<p>b. Affordability Level. The Reserved Units shall be made available to Sursum Corda Households at their respective income eligibility levels. For those households who qualify for Section 8 vouchers, the household’s contribution to the rent shall be based on the household income and/or changes resulting from the annual income recertification process with the U.S. Department of Housing and Urban Development (“HUD”) and/or the D.C. Housing Authority; and</p>	<p>There would be no change to this requirement.</p>																					
<p>c. The Reserved Unit Mix. The Reserved Units shall be dispersed throughout the South Parcel and shall include the following unit mix:</p> <table border="1" data-bbox="289 1045 812 1346"> <thead> <tr> <th colspan="3">Reserved Sursum Corda Units</th> </tr> <tr> <th>No. of Units</th> <th>No. of Bedrooms</th> <th>Approximate Unit Size</th> </tr> </thead> <tbody> <tr> <td>15</td> <td>Studios</td> <td>545 sf.</td> </tr> <tr> <td>31</td> <td>1bdm.</td> <td>715 sf.</td> </tr> <tr> <td>53</td> <td>2 bdrm.</td> <td>1,100 sf.</td> </tr> <tr> <td>27</td> <td>3 bdrm.</td> <td>1,390 sf.</td> </tr> <tr> <td>10</td> <td>4 bdrm.</td> <td>1,580 sf.</td> </tr> </tbody> </table> <p>The unit mix may be adjusted to reflect the actual number of Sursum Corda Households, changes in the composition of the Sursum Corda Households, the number of households that elect not to occupy a reserved unit, and/or HUD standards relating to the number of bedrooms required for each household.</p>	Reserved Sursum Corda Units			No. of Units	No. of Bedrooms	Approximate Unit Size	15	Studios	545 sf.	31	1bdm.	715 sf.	53	2 bdrm.	1,100 sf.	27	3 bdrm.	1,390 sf.	10	4 bdrm.	1,580 sf.	<p>The plans show the 136 reserved units dispersed throughout both buildings and on all floors.</p>
Reserved Sursum Corda Units																						
No. of Units	No. of Bedrooms	Approximate Unit Size																				
15	Studios	545 sf.																				
31	1bdm.	715 sf.																				
53	2 bdrm.	1,100 sf.																				
27	3 bdrm.	1,390 sf.																				
10	4 bdrm.	1,580 sf.																				
<p>d. Communication Plan. The Applicant shall implement the communication plan in Exhibit 48B of the record.</p>	<p>The Applicant states that the Communication Plan is being implemented through the Sursum Corda Cooperative Association, Inc.</p>																					
<p>(e) <u>Notice for Sursum Corda Households. During construction of the first phase of development of the PUD</u>, the Applicant, or its representative, shall maintain updated contact information for each Sursum Corda Household</p>	<p>The Applicant provided a list showing the name and location of heads of households of the Sursum Corda Cooperative Association, Inc. (Exhibit 15BD).</p>																					

<p>and shall provide notice, via certified mail or hand delivery, to each household as follows:</p>	
<p>i. Demolition of Existing Structures. <b><u>Within 10 days of applying for a raze permit for any structure on the Property</u></b>, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, <b>shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property;</b></p>	<p>All the structures have been demolished.</p>
<p>ii. Issuance of a Building Permit. <b><u>Within seven days of the issuance of the first building permit for the above grade construction</u></b> (the “Building Permit”), the Applicant shall notify the Sursum Corda Households that the Building Permit has been issued and the date it was issued. Certification of said notice, include a copy of same, <b>shall be submitted to DCRA within 14 days of the issuance of the Building Permit;</b></p>	<p>Not applicable at this time.</p>
<p>iii. Assignment of Units. <b><u>No more than 12 months from the issuance of the Building Permit</u></b>, the Applicant shall notify Sursum Corda Households of the estimated completion date of the first phase of the PUD and the unit that has been assigned to their individual household (including number of bedrooms and unit size). Said notice shall include renderings and floor plans for the development. Each head of household, or designated household member, <b>shall have 90 days from the date of receiving notice of their assigned unit</b> to inform the Applicant of its intention to occupy the Reserved Unit. Certification of said notice, including copies of same, shall be furnished to DCRA <b>no later than 14 months from the issuance of obtaining the Building Permit;</b> and</p>	<p>Not applicable at this time.</p>
<p>iv. Occupancy Date. After issuance of the Building Permit, the Applicant shall notify those Sursum Corda Households that elect to return to the Property of the occupancy date for their Reserved Unit (the “Occupancy Date Notice”). Each Sursum Corda Household <b>shall have at least one year from the date of the Occupancy Date</b></p>	<p>Not applicable at this time.</p>



<p><b>Notice to:</b> (a) walk through a model unit, and (b) enter into an agreement for the occupancy of their Reserved Unit. Certification of the Occupancy Date Notice, including copies of same, shall be furnished to DCRA <b><u>prior to the issuance of a certificate of occupancy for the first building within the PUD;</u></b></p>	
<p>f. Report to DCRA. <b><u>Prior to the issuance of the first certificate of occupancy for the PUD,</u></b> the Applicant shall submit to DCRA a list of the Sursum Corda Households that elected to occupy a Reserved Unit, the type/size of unit and unit number, and the affordability level for said household; and</p>	<p>Not applicable at this time.</p>
<p>g. <u>Conversion of Reserved Units.</u> In the event that a Sursum Corda Household: (i.) elects not to return to the Property to occupy a Reserved Unit or (ii.) fails to timely enter into an agreement for the occupancy of its Reserved Unit that is also an affordable unit, said unit may be converted to a market rate unit so long as the Applicant sets aside a corresponding amount of gross floor area for affordable units on the North Parcel.</p>	<p>OP recommends this condition be clarified to ensure that the “corresponding amount of gross floor area” also reflects a proportionate ratio of bedrooms per unit as identified in the Reserved Unit Mix table in B.2 c. above.</p>
<p><u>3. Landscape and Open Space Improvements</u></p>	
<p><b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel,</u></b> the Applicant shall seek approvals from the National Park Service, its designee, or the agency with jurisdiction over Lot 896 in Square 620, for the construction and long-term maintenance of park space at the corner of First and L Streets, as depicted on Sheets A-16, A-17, L-6, and L-7 of the Plans, and if approved, shall construct the park space.</p>	<p>The Applicant states that they are in the process of negotiation for the improvements with the District and has committed to undertake all improvements.</p>
<p><u>4. Transportation and Pedestrian Improvements</u></p>	
<p>a. The Applicant shall create a new pedestrian promenade through the center of the site from M Street to L Street as shown on the plans. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel,</u></b> the Applicant shall construct the southern half of the promenade. The northern half of the promenade shall be constructed during Phase 2 of the PUD;</p>	<p>A modified promenade on the South Parcel between Pierce Street and L Street would be provided.</p>
<p>b. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel,</u></b> the Applicant shall construct the extension of Pierce Street,</p>	<p>The extension of Pierce Street would be constructed as part of the Phase One development.</p>

<p>from First Street to First Place. The Applicant shall be responsible for the maintenance of the road for the life of the project</p>	
<p>c. The Applicant shall improve a 30-foot-wide strip of the Property frontage along First Street in order to effectively modify the existing sidewalk from a variable six to eight feet in width to a sidewalk that is a minimum of six feet with landscaping and street trees. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel</u></b>, the Applicant shall improve the segment of the frontage from Pierce Street south shall be improved during Phase 1 of the PUD. <b><u>Prior to the issuance of a Certificate of Occupancy for the North Parcel</u></b>, the Applicant shall improve the segment from Pierce Street north. The Applicant shall maintain said improvements for the life of the project;</p>	<p>The plans show the dedication of the 30-foot wide strip along First Street which would lead to a wider sidewalk .with landscaping and trees. The portion between Pierce Street and L Street would be constructed as part of Phase 1.</p>
<p>d. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel</u></b>, the Applicant shall construct the extension of First Place from M Street to L Street;</p>	<p>First Place would be constructed as part of the Phase 1 development.</p>
<p>e. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel</u></b>, the Applicant shall improve the north side of L Street in between First Street and First Place in order for it to function as a two-way drive; and</p>	<p>Not applicable at this time.</p>
<p>f. <b><u>Prior to the issuance of a Certificate of Occupancy for the South Parcel</u></b>, the Applicant shall cause the installation of a Capital Bikeshare station in proximity to the Property.</p>	<p>The applicant is still coordination with the applicant regarding the location of the Capitol Bikeshare station.</p>
<p></p>	<p></p>
<p><b><u>5. Employment and Training Opportunities</u></b></p>	<p></p>
<p><b><u>Prior to the issuance of a building permit for Phase 1 of the PUD</u></b>, the Applicant shall enter into a First Source Agreement with the Department of Employment Services.</p>	<p>The applicant has requested the Zoning Commission guidance as to the applicability as the DOES requirements for the First Source Agreement is based on receiving \$300,000 with of public assistance. OP recommends that the applicant meets the requirements to the extent possible as it was listed as an amenity.</p>
<p></p>	<p></p>
<p><b><u>6. Environmental Benefits</u></b></p>	<p></p>
<p>a. <b><u>Prior to the issuance of the first certificate of occupancy for each phase of the PUD</u></b>, the Applicant shall furnish a copy of its LEED</p>	<p>The LEED Silver points were reviewed and approved by DOEE.</p>

certification application to the Green Building Certification Institute. The PUD shall fulfill or	
b. <b><u>Prior to the issuance of a certificate of occupancy for Phase 1 of the PUD</u></b> , the Applicant shall install two parking spaces reserved for a carsharing service; and exceed LEED-Silver Certification;	Provide information regarding the location of the carsharing spaces.
c. <b><u>Prior to the issuance of a certificate of occupancy for Phase 1 of the PUD</u></b> , the Applicant shall install two electric car charging stations in the parking garage	Electric car charging stations are shown Exhibit 23F.
<b><u>7. Support of Neighborhood Uses and Organizations</u></b>	
a. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall contribute \$222,000 to the Boys and Girls Club #2 to support the operation of its programs;	\$100,000 has been provided to the Boys and Girls club.
b. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , and subject to approval by the National Park Service or agency having jurisdiction over Lots 896 and 897 in Square 620, the Applicant shall install playground equipment valued at \$28,000 on Lot 896, subject to approval of the National Park Service or the agency having jurisdiction over Lot 896. If the Applicant is unable to obtain approval to install the playground equipment, it shall contribute \$28,000 to the National Park Service or the agency having jurisdiction over Lot 896 to install playground equipment at that location;	The applicant is working with the District regarding the redevelopment of the park.
c. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall contribute to \$60,000 to the Perry School Community Services Center, Inc. to support the operation of its programs;	This contribution has been provided.
d. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall contribute \$25,000 to the Walker-Jones Parent Teacher Association to assist with funding for school activities and the purchase of classroom equipment;	To be provided.
e. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall contribute \$15,000 to the Girls in Action at the Sursum Corda Youth Center, 1175 First Terrace, N.W., to support the operation of its programs; To be provided.	To be provided.
f. <b><u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall contribute \$25,000 to the Dunbar High School Parent Teacher to assist	To be provided.

with funding for school activities and the purchase of classroom equipment;	
<b>g. <u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall donate equipment and uniforms valued at approximately \$10,000 to support programming at the RH Terrell Recreation Center; and	To be provided.
<b>h. <u>Prior to the issuance of a building permit for the PUD</u></b> , the Applicant shall donate \$15,000 to support programming at the Northwest One Library.	To be provided.
<b><u>C. Transportation Mitigation Measures</u></b>	
1. TDM Measures. The Applicant shall do the following for the life of the project:	To be provided.
a. Designate a TDM coordinator;	To be provided.
b. Establish a TDM Marketing program that provides detailed transportation information and promotes walking, cycling, and transit;	To be provided.
c. Unbundle all parking costs from the cost of the lease and set the cost at no less than the charges of the lowest fee garage located within a quarter-mile of the site;	To be provided.
d. Dedicate two parking spaces in each garage for car sharing services to use with right of first refusal;	To be provided.
e. Install electronic displays in each residential building lobbies and the community service building lobby that will display real-time transit availability;	To be provided.
f. Provide at least 183 and 270 long-term bicycle parking spaces in Phases 1 and 2 respectively, and short-term bicycle parking long the interior and perimeter of the site that exceed zoning requirements; and	To be provided.
g. Install a Capital Bikeshare station within the site. Additional TDM measures may be required as a result of subsequent second-stage reviews.	To be provided.
<b><u>2. Other Mitigations</u></b>	
a. Prior to DDOT agreeing to changes to the roadway network, the Applicant shall consider reducing vehicle parking as a means to reduce intersection impacts. All assessments of impacts shall be addressed during the Stage 2 PUD process;	To be provided.
b. All analysis for Stage 2 PUD applications should consider both the application at hand and	To be provided.

the project as a whole so as not to overlook potential impacts;	
c. Further TDM Measures may be required based on the outcome of the previously noted Stage 2 PUD review;	To be provided.
d. All impacted public infrastructure in the DDOT ROW due to project construction, the addition of new transportation facilities, or upgrades to public space facilities, including facilities in private space which are typical to the public space, should be mitigated at the expense of the Applicant;	To be provided.
e. Identify and commit to implementation of pedestrian improvements on the north side of L Street between 1st Place and North Capitol Street;	The Applicant has committed to pedestrian improvements along the property frontage along the north side of L Street.
f. DDOT is planning improvements to the signal at North Capitol and L Street. The Applicant should be prepared to re-evaluate this location as part of subsequent Stage 2 PUD applications and may be required to perform other pedestrian or geometric mitigations;	To be provided.
g. The Applicant has agreed to install curbs and gutters along with typical “public space” along the east side of 1st Street in the area that is at least partially privately owned. A cross-section of 1st Street which sets the east side curb in the appropriate location consistent with adjacent sections of 1st Street and DDOT standards should be identified and approved by DDOT. Typical public space elements, trees, sidewalks, lights, greenspace, etc., should be designed consistent with DDOT standards	Shown on the submitted plans.
h. Intersection control at the intersection of Pierce Street and 1st Street should be determined and the Applicant should commit to implement the appropriate control;	To be provided.
i. In addition to funding installation of a standard 50-foot-long Capital Bikeshare Station, the Applicant should also commit to funding one year of operations; and	To be provided.
j. Install at least 23 and 41 short-term bicycle parking spaces in Phases 1 and 2, respectively	Locations of short term parking spaces should be shown on the plans.