

SUPPLEMENTAL MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JL for* Jennifer Steingasser, Deputy Director, Development Review/Historic Preservation
DATE: April 14, 2017
SUBJECT: Supplemental Post-Public Hearing Report for Zoning Commission Case No. 16-13, Consolidated Planned Unit Development and Related Map Amendment from CM-1 to C-2-B, for a property at 1109 Congress Street, NE

Application 16-13, by JS Congress Holdings, LLC is for a consolidated PUD with a related map amendment from C-M-1 to C-2-B, to construct a mixed-use building at 1109 Congress Street, N.E. The application was set down for a public hearing by the Commission at its July 25, 2016 public meeting and a public hearing was held on January 4, 2016. The application is subject to ZR-58 regulations.

Since the hearing, the applicant has proposed changes to how it will satisfy its Inclusionary Zoning (IZ) requirements and changes to its affordable housing proffer. At the hearing the applicant had proposed locating all of its IZ units and its affordable housing proffer within the proposed 1109 Congress Street building. In its April 10, 2017 filings the applicant is proposing off-site locations for some of the IZ units and all of the proffered affordable units, through an arrangement with Habitat for Humanity:

- One-half of the required IZ units would be provided on-site at 80% AMI, consistent with the IZ regulations and intent; and
- The other half of the required IZ units, all of the required habitable penthouse affordable component, and all of the additional proffered affordable units would be provided offsite in 5 to 6 single family units or flats that would be located within specified ANC's in Wards 5 or 6, and all provided at 50% AMI, rather than the 80% AMI permitted by IZ regulations. The applicant has also agreed to link the issuance of a building permit for 1109 Congress Street to site control for the affordable units; and to link the certificate of occupancy for the Congress Street building to occupancy of the off-site units.

Details of the revised proposals are contained in Exhibits 47, 47A, 47B, and in Exhibit 48 the proposed Draft Order. In Exhibit 48, the following are most pertinent to the IZ and affordable housing proffers: proposed Findings of Fact 33 – 36 (pp. 7-9), proposed Finding of Fact 70 (page 20), and proposed Decision Conditions B. 1 –3 (page 29).

OP supports the applicant's revised proposal for satisfying Inclusionary Zoning requirements, the affordable housing proffers and the stated goal to include three-bedroom units among the off-site single family residences or flats.

Jls/slc
Stephen Cochran, project manager