

**MEMORANDUM**

**TO:** District of Columbia Zoning Commission  
**FROM:** *JL for* Jennifer Steingasser, Deputy Director, Development Review and Historic Preservation  
 Stephen Cochran, Development Review Specialist  
**DATE:** July 30, 2020  
**SUBJECT:** Supplemental Report for Zoning Commission Case No. 19-19, Consolidated Planned Unit Development, 3301 23<sup>rd</sup> Street, SE Square (5994, Lots 3 – 5)

**I. BACKGROUND**

The Office of Planning (OP) continues to recommend the Zoning Commission (the Commission) approve this PUD application.

This supplemental report addresses the applicant’s July 23, 2020 responses (Exhibits 31 – 31A4) to the Commission’s information requests and comments at the public hearing, and the applicant’s July 30, 2020 final proffer and conditions (Exhibits 32 and 33).

**II. OP ANALYSIS OF APPLICANT’S POST HEARING FILING**

<b>Commission Request or Comment</b>	<b>Applicant Response</b>	<b>OP Comments</b>
Update Inclusionary Zoning information to reflect pre-hearing changes to building design.	Updated IZ tables and unit location diagrams provided	Addresses Commission Request
Update plans to show balconies at 18” deep	Shown in all revised plans and renderings	Addresses Commission Request
Reconsider colors of darker areas of top floor, particularly uniformity of siding and window-frame colors	Siding color lightened; dark window color refined; cornice/parapet lightened and given depth atop red-brick areas of south and east facades	Addresses Commission Request

<b>Commission Request or Comment</b>	<b>Applicant Response</b>	<b>OP Comments</b>
More fully design west and north façades to provide a “whole building” design	Brick added to both facades; color of siding darkened, providing greater contrast between siding and windows	Addresses Commission Request
Remove “Parking” sign from garage entrance	Removed	Addresses Commission Request
Refine veneer of base	York Gemstone CMU “Graphite” changed to York Split Face Block “Charcoal	Addresses Commission Request
Consider committing to First Source and CBE	Committed to both in Draft Condition No. 9.	Addresses Commission Request
Consider dedicating and registering future IZ units prior to project occupancy rather than at expiration of financing mechanism’s control period	The Applicant commits to maintaining all of the building’s units as affordable for households earning up to 60% of the MFI for 30 years if the project does not receive funding from the DC Housing Production Trust Fund, or for 40 years if it does receive such funding. Consistent with the IZ regulations and with DC Department of Housing and Community Development procedures, 16 of the 130 units, as identified in the submitted architectural plans, would become registered as IZ units at the end of the above-noted control period. If, when a building permit is sought, the District determines the project does not qualify for Subtitle C Section 1001.6’s IZ exemption then the 16 units shall be registered as IZ units prior to the issuance of a certificate of occupancy.	OP has had conversations with OAG and DHCD about this. DHCD typically requires registration prior to a C of O of only for-sale affordable units that are temporarily exempt from IZ but that will become subject to IZ at the end of a control period. It does not require this of future IZ units in rental projects.  The applicant’s clarification and proposed conditions address the Commission’s concern.