

Holland & Knight

800 17th Street, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Leila M. Jackson Batties
leila.batties@hklaw.com
202.419.2583

April 4, 2016

VIA IZIS

Ms. Sharon Schellin
Secretary to the Zoning Commission for the
District of Columbia
Office of Zoning
441 Fourth Street, NW, Suite 210-S
Washington, DC 20001

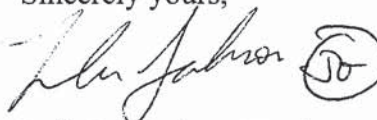
**Re: Sursum Corda Cooperative Association, Inc. (ZC Case No. 15-20)
List of Proffers and Conditions**

Dear Ms. Schellin:

On behalf of Sursum Corda Cooperative Association, Inc., we respectfully submit the attached chart of proffers and conditions for the above-referenced case, pursuant to Sections 2403.16 through 2403.18 of the Zoning Regulations.

Thank you for your considerate attention to this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Leila M. Jackson Batties", with a circular stamp or mark to the right of the signature.

Leila M. Jackson Batties

Attachment

cc: Advisory Neighborhood Commission 6E c/o Chairperson Marge Maceda
(via U.S. Mail/electronic mail)
Alan Bergstein, Esq. Office of the Attorney General (via electronic mail)
Ms. Maxine Brown-Roberts, Office of Planning (via electronic mail)

Sursum Corda Cooperative Association, Inc. PUD
 Z.C. Case No. 15-20
 (First Stage PUD and Related Map Amendment)

Proffer	Condition																							
<p>1. <u><i>Affordable Housing.</i></u> The PUD will include the construction of 199 new affordable housing units. Affordable units will be reserved for and available to households with incomes not exceeding 80% AMI, provided that the blended affordability limits for the affordable units within the PUD shall not exceed 60% AMI. The PUD will maintain an overall blended affordability level of 60% AMI for the life of the project.</p>	<p>B.1. <u>Affordable Units.</u> The PUD shall include the construction of 199 new 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>2. <u><i>Sursum Corda Households.</i></u> The Applicant agrees to construct 136 units on the South Parcel during the first phase of development for the PUD, which shall be reserved for the households currently residing at the Property (the “Sursum Corda Households”) (“Reserved Units”). The Reserved Units will be dispersed throughout the South Parcel and will include the following unit mix:</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align: center;">Reserved Sursum Corda Units</th> </tr> <tr> <th style="text-align: center;">No. of Units</th> <th style="text-align: center;">No. of Bedrooms</th> <th style="text-align: center;">Approximate Unit Size</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">5</td> <td style="text-align: center;">Studio</td> <td style="text-align: center;">545 s.f.</td> </tr> <tr> <td style="text-align: center;">31</td> <td style="text-align: center;">1 bdrm</td> <td style="text-align: center;">715 s.f.</td> </tr> <tr> <td style="text-align: center;">53</td> <td style="text-align: center;">2 bdrm</td> <td style="text-align: center;">1,100 s.f.</td> </tr> <tr> <td style="text-align: center;">27</td> <td style="text-align: center;">3 bdrm</td> <td style="text-align: center;">1,390 s.f.</td> </tr> <tr> <td style="text-align: center;">10</td> <td style="text-align: center;">4 bdrm</td> <td style="text-align: center;">1,580 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 Units			No. of Units	No. of Bedrooms	Approximate Unit Size	5	Studio	545 s.f.	31	1 bdrm	715 s.f.	53	2 bdrm	1,100 s.f.	27	3 bdrm	1,390 s.f.	10	4 bdrm	1,580 s.f.	<p>B.2. <u>Sursum Corda Households.</u></p> <p>a. <u>Reserved Units.</u> The Applicant shall construct 136 residential units on the South Parcel during the first phase of development for the PUD, which shall be reserved for 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 DCRA the list of Sursum Corda Households and their contact information.</p> <p>b. <u>Affordability Level.</u> 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 most recent 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.</p> <p>c. <u>The Reserved Unit Mix.</u> The Reserved Units shall be dispersed throughout the South Parcel and shall include the following unit mix:</p> <table border="1" style="margin: 10px auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Reserved Sursum Corda Units</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"> </td> </tr> </tbody> </table>	Reserved Sursum Corda Units	
Reserved Sursum Corda Units																								
No. of Units	No. of Bedrooms	Approximate Unit Size																						
5	Studio	545 s.f.																						
31	1 bdrm	715 s.f.																						
53	2 bdrm	1,100 s.f.																						
27	3 bdrm	1,390 s.f.																						
10	4 bdrm	1,580 s.f.																						
Reserved Sursum Corda Units																								

Proffer	Condition																		
	<table border="1" data-bbox="932 212 1414 682"> <thead> <tr> <th data-bbox="932 212 1032 342">No. of Units</th> <th data-bbox="1032 212 1198 342">No. of Bedrooms</th> <th data-bbox="1198 212 1414 342">Approximate Unit Size (square feet)</th> </tr> </thead> <tbody> <tr> <td data-bbox="932 342 1032 411">15</td> <td data-bbox="1032 342 1198 411">Studio</td> <td data-bbox="1198 342 1414 411">545 s.f.</td> </tr> <tr> <td data-bbox="932 411 1032 480">31</td> <td data-bbox="1032 411 1198 480">1 bdrm</td> <td data-bbox="1198 411 1414 480">715 s.f.</td> </tr> <tr> <td data-bbox="932 480 1032 550">53</td> <td data-bbox="1032 480 1198 550">2 bdrm</td> <td data-bbox="1198 480 1414 550">1,100 s.f.</td> </tr> <tr> <td data-bbox="932 550 1032 619">27</td> <td data-bbox="1032 550 1198 619">3 bdrm</td> <td data-bbox="1198 550 1414 619">1,390 s.f.</td> </tr> <tr> <td data-bbox="932 619 1032 682">10</td> <td data-bbox="1032 619 1198 682">4 bdrm</td> <td data-bbox="1198 619 1414 682">1,580 s.f.</td> </tr> </tbody> </table> <p data-bbox="829 730 1479 930">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> <p data-bbox="829 947 1479 1045">d. <u>Communication Plan</u>. The Applicant shall implement the communication plan in <u>Exhibit 48B</u> of the record.</p> <p data-bbox="829 1079 1479 1310">e. <u>Notice for Sursum Corda Households</u>. During construction of the first phase of development of the PUD, the Applicant, or its representative, shall maintain updated contact information for each Sursum Corda Household and shall provide notice, via certified mail or hand delivery, to each household as follows:</p> <ul style="list-style-type: none"> <li data-bbox="915 1344 1479 1680">i. <u>Demolition of Existing Structures</u>. Within 10 days of applying for a raze permit for any structure on the Property, the Applicant shall notify the Sursum Corda Households of its raze permit application. Certification of said notice, including a copy of same, shall be furnished to DCRA prior to the issuance of a raze permit for any structure of the Property. <li data-bbox="915 1709 1479 1911">ii. <u>Issuance of a Building Permit</u>. Within 7 days of the issuance of the first building permit for the above grade construction (the "Building Permit"), the Applicant shall <u>notify</u> the Sursum Corda Households that the Building Permit has 	No. of Units	No. of Bedrooms	Approximate Unit Size (square feet)	15	Studio	545 s.f.	31	1 bdrm	715 s.f.	53	2 bdrm	1,100 s.f.	27	3 bdrm	1,390 s.f.	10	4 bdrm	1,580 s.f.
No. of Units	No. of Bedrooms	Approximate Unit Size (square feet)																	
15	Studio	545 s.f.																	
31	1 bdrm	715 s.f.																	
53	2 bdrm	1,100 s.f.																	
27	3 bdrm	1,390 s.f.																	
10	4 bdrm	1,580 s.f.																	

Proffer	Condition
	<p>been issued and the date it was issued. Certification of said notice, include a copy of same, shall be submitted to DCRA within 14 days of the issuance of the Building Permit.</p> <p>iii. <u>Assignment of Units.</u> No more than 12 months from the issuance of the Building Permit, 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 <u>development</u>. Each head of household, or designated household member, shall have 90 days from the date of receiving notice of their assigned unit 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 no later than 14 months from the issuance of obtaining the Building Permit.</p> <p>iv. <u>Occupancy Date.</u> 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 shall have at least one year from the date of the <u>Occupancy Date Notice</u> to (i) walk through a model unit and (ii) enter into an agreement for the occupancy of their Reserved Unit. Certification of the <u>Occupancy Date Notice</u>, including copies of same, shall be furnished to DCRA prior to the issuance of a certificate of occupancy for the first building within the PUD.</p> <p>f. <u>Report to DCRA.</u> Prior to the issuance of the first certificate of occupancy for the PUD, 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</p>

Proffer	Condition
	<p>and unit number, and the affordability level for said household.</p> <p>g. <u>Conversion of Reserved Units.</u> In the event that a Sursum Corda Household (a) elects not to return to the Property to occupy a Reserved Unit or (b) 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>3. <u>Landscape and Open Space Improvements.</u></p> <p>a. The Applicant will 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 the plans. If approved, the park space will be constructed during Phase 1 of the PUD. The estimated cost of the construction of the park areas at the corner of First and L Streets and along the eastern boundary of the Property is \$620,000.</p> <p>b. The Applicant will create a new pedestrian promenade through the center of the Property from M Street to L Street as shown on the Plans. The southern half of the promenade will be constructed during Phase 1 of the PUD. The northern half of the promenade will be constructed during Phase 2 of the PUD. The estimated cost of the construction of the new pedestrian promenade through the center of the site, from M Street to L Street, is \$725,000.</p> <p>c. During Phase 1 of the PUD, the Applicant will construct the extension of Pierce Street, from First Street to First Place. The Applicant will be responsible for the maintenance of the road for the life of the project. The estimated cost of the construction of Pierce Street is \$475,000.</p>	<p>B.3. <u>Landscape and Open Space Improvements.</u></p> <p>a. The Applicant shall seek approvals from the National Park Service, its designee, or the agency with jurisdiction over Lots 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 the plans. If approved, the park space shall be constructed during Phase 1 of the PUD.</p> <p>b. 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. The southern half of the promenade shall be constructed during Phase 1 of the PUD. The northern half of the promenade shall be constructed during Phase 2 of the PUD.</p> <p>c. During Phase 1 of the PUD, the extension of Pierce Street, 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>4. <u>Transportation and Pedestrian Improvements.</u></p> <p>a. During Phase 1 of the PUD, the Applicant will improve a 30-foot wide strip of the Property frontage along First Street in order to effectively modify the existing sidewalk from a variable 6 to</p>	<p>B.4. <u>Transportation and Pedestrian Improvements.</u></p> <p>a. During Phase 1 of the PUD, the Applicant shall improve a 30-foot wide strip of the Property frontage along First Street in order</p>

Proffer	Condition
<p>8 feet in width to a sidewalk that is a minimum of 6 feet with landscaping and street trees. The segment of the frontage from Pierce Street south shall be improved during Phase 1 of the PUD; the segment from Pierce Street north shall be improved during Phase 2 of the PUD. The Applicant shall maintain said improvements so long as they are owned/controlled by the Applicant. The Applicant shall not be obligated to maintain the improvements should said frontage be dedicated to DDOT for First Street right of way. The estimated cost of said improvement is \$370,000.</p> <p>b. During Phase 1 of the PUD, the Applicant will construct the extension of First Place from M Street to L Street, as shown on Sheet A-11 of the Plans. The estimated cost of said improvement is \$575,000.</p> <p>c. During Phase 1 of the PUD, the Applicant will 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, in accordance with DDOT standards. The estimated cost of said improvement is \$275,000.</p> <p>d. The Applicant will cause the installation of a Capital Bikeshare Station in proximity to the Property as part of Phase 1 of the PUD and fund the first year operation of the station. The estimated cost for the installation and the first year of operation is \$92,000.</p>	<p>to effectively modify the existing sidewalk from a variable 6 to 8 feet in width to a sidewalk that is a minimum of 6 feet with landscaping and street trees. The segment of the frontage from Pierce Street south shall be improved during Phase 1 of the PUD; the segment from Pierce Street north shall be improved during Phase 2 of the PUD. The Applicant shall maintain said improvements so long as they are owned/controlled by the Applicant. The Applicant shall not be obligated to maintain the improvements should said frontage be dedicated to DDOT for First Street right of way.</p> <p>b. During Phase 1 of the PUD, the Applicant shall construct the extension of First Place from M Street to L Street, as shown on Sheet A-11 of the Plans.</p> <p>c. During Phase 1 of the PUD, 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, in accordance with DDOT standards.</p> <p>d. The Applicant shall cause the installation of a Capital Bikeshare station in proximity to the Property as part of Phase 1 of the PUD.</p>
<p>5. <u>Employment and Training Opportunities.</u> Prior to the issuance of a building permit for Phase 1 of the PUD, the Applicant will enter into a First Source Agreement with the Department of Employment Services.</p>	<p>B.5. <u>Employment and Training Opportunities.</u> Prior to the issuance of a building permit for Phase 1 of the PUD, the Applicant shall enter into a First Source Agreement with the Department of Employment Services.</p>
<p>6. <u>Environmental Benefits.</u></p> <p>a. The PUD will achieve a minimum of LEED Silver certification.</p> <p>b. Phase 1 of the PUD will include two parking spaces reserved for a car-sharing service. The estimate cost of the reserved parking spaces is</p>	<p>B.6. <u>Environmental Benefits.</u></p> <p>a. Prior to the issuance of the first certificate of occupancy for each phase of the PUD, the Applicant shall furnish a copy of its LEED certification application to the Green Building Certification Institute. The PUD shall fulfill or exceed LEED-Silver Certification.</p>

Proffer	Condition
<p>\$50,000.</p> <p>c. Phase 1 of the PUD will also include two electric car charging stations in the parking garage. The estimated cost of the car charging stations is \$110,000.</p>	<p>b. Prior to the issuance of a certificate of occupancy for Phase 1 of the PUD, the Applicant shall install two parking spaces reserved for a car-sharing service.</p> <p>c. Prior to the issuance of Phase 1 of the PUD, the Applicant shall install two electric car charging stations in the parking garage.</p>
<p><u>7. Support of Neighborhood Uses and Organizations.</u></p> <p>a. The Applicant agrees to contribute \$222,000 to the Boys and Girls Club #2 to support the operation of its programs.</p> <p>b. Subject to approval by the National Park Service or agency having jurisdiction over Lots 896 in Square 620, the Applicant agrees to (1) contribute \$28,000 for the installation of playground equipment in the park are near the corner of First and L Streets or (2) install playground equipment valued at said amount in the park area.</p> <p>c. The Applicant agrees to contribute to \$60,000 to the Perry School Community Services Center, Inc. to support the operation of its programs.</p> <p>d. The Applicant agrees to contribute \$25,000 to the Walker-Jones Parent Teacher Association to assist with funding for school activities and the purchase of classroom equipment.</p> <p>e. The Applicant agrees to contribute \$15,000 to the Girls in Action at the Sursum Corda Youth Center, 1175 First Terrace, NW, to support the operation of its programs.</p> <p>f. The Applicant agrees to contribute \$25,000 to the Dunbar High School Parent Teacher to assist with funding for school activities and the purchase of classroom equipment.</p> <p>g. The Applicant agrees to donate equipment and uniforms valued at approximately \$10,000 to support programming at the RH Terrell Recreation Center.</p> <p>h. The Applicant agrees to donate \$15,000 to support programming at the Northwest One</p>	<p><u>B.7. Support of Neighborhood Uses and Organizations.</u></p> <p>a. Prior to the issuance of a building permit for the PUD, the Applicant shall contribute \$222,000 to the Boys and Girls Club #2 to support the operation of its programs. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p> <p>b. Prior to the issuance of a building permit for the PUD, and subject to approval by the National Park Service or agency having jurisdiction over Lots 896 and 897 in Square 620, the Applicant shall either (1) contribute \$28,000 for the installation of playground equipment in the park are near the corner of First and L Streets or (2) install playground equipment valued at said amount in the park area.</p> <p>c. Prior to the issuance of a building permit for the PUD, the Applicant shall contribute to \$60,000 to the Perry School Community Services Center, Inc. to support the operation of its programs. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p> <p>d. Prior to the issuance of a building permit for the PUD, 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. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional</p>

Proffer	Condition
Library.	<p>details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p> <p>e. Prior to the issuance of a building permit for the PUD, the Applicant shall contribute \$15,000 to the Girls in Action at the Sursum Corda Youth Center, 1175 First Terrace, NW, to support the operation of its programs. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p> <p>f. Prior to the issuance of a building permit for the PUD, the Applicant shall contribute \$25,000 to the Dunbar High School Parent Teacher to assist with funding for school activities and the purchase of classroom equipment. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p> <p>g. Prior to the issuance of a building permit for the PUD, the Applicant shall donate equipment and uniforms valued at approximately \$10,000 to support programming at the RH Terrell Recreation Center.</p> <p>h. Prior to the issuance of a building permit for the PUD, the Applicant shall donate \$15,000 to support programming at the Northwest One Library. As part of the Second Stage PUD application for Phase 1 of the project, the Applicant shall additional details about the use of the funds, in a manner that complies with the requirements of Sec. 2403.6 of the Zoning Regulations.</p>