

January 24, 2023

The Honorable Charles Allen  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW  
Washington, DC 2004

**Re: Zoning Commission Case No. 22-06; PUD Proposed at 9th Street and Maine Avenue, SW**

Dear Councilmember Allen:

Based on your letter to the Zoning Commission dated December 5, 2022 and subsequent consultations, Jair Lynch Real Estate Partners ("JLREP") on behalf of 801 Maine Ave SW PJV, LLC (the "Applicant") proposes to add workforce housing units to the proposed planned unit development ("PUD") 899 Maine Avenue, SW in an effort to further support DC's effort to create more affordable living opportunities across a wider spectrum of District residents. Below are the standards that we are proposing for these workforce housing units:

**Development Standards**

Total Workforce Housing Units: Applicant shall commit to reserve **twenty (20)** total units for workforce households within the targeted income range. These non-inclusionary zoning units are not part of any other proffers or inclusionary zoning units for the PUD.

Unit Types: All twenty (20) workforce units shall be one-bedroom units, including borrowed-light and exterior window bedrooms.

Unit Sizes: Internal square footage of workforce units shall be comparable to that of market rate units.

Unit Distribution: Workforce apartment units shall be distributed vertically and horizontally throughout the residential building, except for the top three floors. No floor shall be comprised of 100% workforce units.

Construction: External design and materials of workforce units shall be indistinguishable from market rate units. Internally, appliances and finishes shall be comparable, but may be of different quality.

**Household Standards**

Target Income Range: Eligible households are defined as those households that meet all of the following:

- Having a household income between 60% and 120% of the Median Family Income ("MFI") as determined based on the Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area as defined in HUD's Fiscal Year Income Limit Documentation System and as adjusted for family size. For FY2022, the Washington Area 100% MFI is \$142,300<sup>1</sup> assuming a 4-person household.

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<sup>1</sup> [https://www.huduser.gov/portal/datasets/il/il2022/select\\_Geography.odn](https://www.huduser.gov/portal/datasets/il/il2022/select_Geography.odn)

- Monthly housing payment shall equal 30% of the income limits by family size and unit type.
- A summary of FY 2022 income limits by family size and unit type can be found in the table below.

<u>Household Size</u>	<u>FY 2022 (60% MFI - 120% MFI)</u>
1 Person Household	\$59,766 - \$99,610
2 Person Household	\$68,304 - \$136,608
3 Person Household	\$76,842 - \$153,684
4 Person Household	\$85,380 - \$170,760

Utility Allowance: Housing payments will include a utility allowance. The utility allowance for the property will be determined by a study conducted by a qualified engineer selected by the Applicant. These allowances are subject to annual adjustments if supported by a more recent qualifying utility study.

Affordability Period: The affordability control period shall be for **twenty (20)** years from the issuance of the first certificate of occupancy for the residential unit.

Marketing Plan: Applicant shall submit to Agency (DC Department of Housing and Community Development) an Affirmative Fair Housing Marketing Plan and Household Selection Plan that set forth its plan for marketing the Workforce Units and for selecting Households who may be Qualified Tenants. The Affirmative Fair Housing Marketing Plan and Household Selection Plan shall be subject to the Agency's prior written approval and shall be submitted to and approved by the Agency prior to marketing any Workforce Units for rent.

Enforcement: The District government shall retain all rights to enforce the provisions of the affordability covenants, according to the provisions of this document or such enforcement mechanisms as the District government may deem appropriate. The District government shall have the right to recapture any enforcement costs.

Procedural Changes: The substance of any of the above clauses that are included in deed restriction terms may not be modified without consent of both the Applicant and the District government.

Sincerely,



Malcolm N. Haith  
Senior Development Manager