

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation

DATE: August 28, 2017

SUBJECT: **ZC Case 05-28R:** Supplemental Post-Public Hearing Report for Modifications to the First-Stage approval and Second-Stage PUD for Block F, Parcel 8; and
ZC Case 05-28S: Supplemental Post-Public Hearing Report for Modifications to the First-Stage approval and Second-Stage PUD for Block F, Parcel 10

At its public hearing on July 31, 2017, the Commission requested the applicant respond to its questions in advance of taking final action at its public meeting scheduled for September 25, 2017. The following table includes a listing of the Commission’s questions, the applicant’s response and comment from the Office of Planning. All responses from the applicant can be found under ZC Case No. 05-28R, Exhibit 38.

Commission Comment	Applicant’s Response	OP Comment
1. What is the timing/phasing?	Item No. 3 of Exhibit B of the August 14, 2017 submission states that the applicant shall submit for building permits for the townhouses within two years and for the multi-family buildings within four years of the issuance of the order.	The applicant proposes to construct the townhouses and the multi-family and office buildings with ground floor retail on Parcel 9 (05-28Q) at the same time, but construct the two multi-family buildings (potentially also with ground floor retail) within four years of the issuance of the Order. OP does not support this phasing request, to ensure that a critical mass of residents is established to not only support the proposed retail on Parcel 9, but to ensure the completion of the residential component of the community within a reasonable period.

<p>2. Provide solar panels on the roofs of the townhouse. Pre-wiring does not make sense. Need comments from DOEE.</p>	<p>The applicant proposes to pre-wire the townhouses to accommodate solar panels, and will offer them as an option. Homeowners would then be eligible to take advantage of the Federal Investment Tax Credit, should they opt to install the panels. Installing them at the time of construction would increase the price of the homes, as they cost between \$15,000 and \$18,000 each to install.</p>	<p>OP received comments from DOEE. Given the scale of the development, aggregate development of a solar array would be significantly more economically beneficial than if each home-owner financed individual systems. In addition, it is often easier for the developer to finance these costs than individual home owners.</p> <p>There are two options that would allow for development of the solar array for all homes at the initial point of finance and construction, and then sharing the benefit with future home owners. The developer can use the DC Property Assessed Clean Energy (DC PACE) program to finance and install a system as part of the initial development construction costs. Financial programs, such as the DC PACE, can pay for increases in construction costs for on-site generation and increased energy efficiency above baseline code requirements. This financing does not increase debt on the property and is repaid over time as a special assessment on the property tax. A system owned by the developer would qualify for the 30% investment tax credit (ITC) and the solar renewable energy credits, and benefits could be transferred to the homeowner association.</p> <p>A bulk power purchase agreement (PPA) may be executed for leased solar panels with zero up front cost as an amenity for all future residents and the shared economy of scale. Through the District's community solar program the energy generated can be "virtually" net-metered, and the residents or commercial tenants can "subscribe" into the system providing mutual benefit for both the property owners and the residents.</p> <p>To create a more resilient and economically progressive project, it is strongly recommended that the project incorporate solar panels for all townhouse units.</p>
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<p>3. Cannot find the 8% of the total dwelling unit count for workforce housing. Subsequent applications should provide additional workforce housing in perpetuity.</p>	<p>The applicant cites paragraph 34(b) of ZC Order 05-28 states there is “<i>no control period</i>” for the workforce housing component, indicating the provision of this housing need not be provided in perpetuity.</p>	<p>In the transcript for the Commission hearing for the first-stage PUD approval (05-28), a Senior Vice President with Bank of America Community Development Corporation, a representative of the applicant stated on page 88, “<i>by reserving 20 percent permanently as workforce housing we can make sure that in the long haul those folks are protected, nobody ever has to leave the neighborhood.</i>” Further, on page 89, the Chairperson of the Commission asked, “<i>Just to follow up on a point that was left unanswered, that the Office of Planning called out, and then the testimony we just heard, was that the workforce housing would be permanent, is that what’s being proffered?</i>” The Senior Vice President with Bank of America responded “<i>I’m sorry, it was...</i>” Therefore, OP concludes that the workforce housing component was intended to and should be for the life of the project.</p>
<p>4. Do the roof structures on the townhouses meet the required setbacks? Need penthouse information for the townhouses.</p>	<p>Roof structures depicted to be set back 1:1 on Sheet T1.02.</p>	<p>Sheet T1.02 depicts the minimum required roof structure setbacks for the townhouses, as required.</p>
<p>5. Where are the downspouts on the townhouses?</p>	<p>Downspouts are shown on sheets T4.03 through T4.05.</p>	<p>Sheets T4.03 through T4.05 depict the downspouts on the front and rear facades of the townhouses.</p>

JS/sjm^{AICP}

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