

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend the Urban Forest Preservation Act of 2002 to provide that a permit in accordance with the Special Tree requirements that were in effect prior to July 1, 2016, may be issued to the Sursum Corda Cooperative Association, Inc., pursuant to its application for a first-stage planned unit development approved by the Zoning Commission by Order No. 15-20, for the development of Lots 250,893, 894, 895, 900, 904, and 905 in Square 600, and that section 104a does not apply to the Sursum Corda Cooperative Association, Inc., development approved by the Zoning Commission by Order No. 15-2; and to make a technical and conforming amendment.

BE IT RESOLVED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this act may be cited as the “Sursum Corda Cooperative Association Clarification Emergency Amendment Declaration Resolution of 2019”.

Sec. 2. (a) The Zoning Commission granted first-stage planned unit development (“PUD”) approval for the Sursum Corda property on March 28, 2016, pursuant to Order No. 15-20, which is dated May 9, 2016, and became effective on June 17, 2016.

(b) The Sursum Corda property is the subject of Zoning Commission Case No. 15-20C, which is scheduled to be heard before the Zoning Commission on September 26, 2019, and

38 which seeks certain modifications to Order No. 15-20 and a second-stage PUD approval for
39 Phase 1 of the development in substantial conformance with the architectural drawings and plans
40 approved by Order No. 15-20.

41 (c) The redevelopment of the Sursum Corda property, as approved by the Zoning
42 Commission, requires the removal of heritage trees under section 104a of the Urban Forest
43 Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-
44 651.04a) (“2002 Act).

45 (d) The District Department of Transportation has determined that it will not issue a
46 Heritage Tree Removal Permit for the PUD and that the PUD is contrary to law and, therefore,
47 cannot proceed to second-stage PUD approval under Case No. 15-20C without being redesigned.

48 (e) Order No. 15-20 became effective prior to the July 1, 2016, the effective date of the
49 Tree Canopy Protection Amendment Act of 2016, which amended the 2002 Act to add section
50 104a.

51 (f) The PUD advances two significant affordable housing policies for the District,
52 creating 199 new affordable units, which is equal to 18% of the total units, with a blended
53 affordability level of 60% of the median family income.

54 (g) The PUD also includes the dedication of land to the District of Columbia to widen the
55 First Street, NW, right-of-way from 60 to 90 feet, between L and M Streets; improvements to L
56 Street, NW, along the frontage of the Sursum Corda property east to North Capital; the extension
57 of Pierce Street from First Street to First Place; and the extension of First Place between L and M
58 Streets, as well as several other benefits and amenities for the residents of the PUD and the
59 broader neighborhood;

60 Sec.3. The Council of the District of Columbia determines that the circumstances
61 enumerated in section 2 constitute emergency circumstances making it necessary that the Sursum
62 Corda Cooperative Association Clarification Emergency Amendment Act of 2019 be adopted
63 after a single reading.

64 Sec. 4. This resolution shall take effect immediately.

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