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VIA IZIS

Anthony Hood, Chairperson
D.C. Zoning Commission
441 4th Street, NW, Suite 200S
Washington, DC 20001

**RE: ZC Case No. 24-24
Applicant's Supplemental Statement**

Chairperson Hood and Honorable Members of the Commission:

The Applicant, D.C. Department of General Services (the “**Applicant**”), on behalf of the D.C. Department of Human Services (“**DHS**”), files the following supplemental information pursuant to Subtitle Z § 401.5 in advance of the Commission’s hearing on the subject application.

As set forth in the case record, the Applicant seeks review and approval of a consolidated planned unit development and related zoning map amendment for the property located at 1201 New York Avenue NE (Parcel 0129/0115) (the “**Property**”). The Applicant proposes to construct a new emergency shelter called “The Heritage” that will serve men experiencing homelessness in the District of Columbia (the “**Project**”). The Project will provide critical emergency shelter housing for a variety of programs, including a low barrier shelter, work program housing, senior housing, respite/sobering housing, and a hypothermia shelter, and replace the existing deficient facility one block away.

I. Additional Entitlements

On February 20, 2025, the Applicant presented the Project to the U.S. Commission of Fine Arts (“**CFA**”) to CFA and obtained concept approval with minor design changes needed for final approval by staff. By letter dated May 8, 2025, CFA staff approved the Project as reflected in the letter attached at **Exhibit A**. Additionally, On June 5, 2025, the Applicant presented the Project to the National Capital Planning Commission (“**NCPC**”) as part of the agency’s review process. NCPC approved the preliminary site and plan submission as reflected in the letter attached at **Exhibit B**.

II. Updated Architectural Plan Set

Since filing the subject application in December 2024, the Applicant has continued to refine the Project, including in response to comments from CFA and during the interagency meeting on July 9, 2025. Accordingly, the Applicant is enclosing an updated architectural plan set (“**Updated Plans**”) at **Exhibit C**.

While the massing and footprint of the Project generally remains the same, the Applicant wishes to highlight the following architectural and design changes:

- **Public Space Improvements**

In response to comments from the Department of Transportation (“**DDOT**”), the Applicant has modified design elements in and adjacent to public space. These changes include the addition of a curb extension at the corner of Fairview Avenue NE and New York Avenue NE; an expanded planting strip in public space along New York Avenue; a new planting strip on Mount Olivet Road NE; new tree plantings along the Project’s frontage on New York Avenue NE; and the creation of functional recreation space around the Heritage Tree by New York Avenue NE.

- **Welcome Center**

In response to CFA feedback, the Applicant also revised the Project’s Welcome Center along Fairview Avenue NE. The revisions are intended to reinforce the architectural character of the Welcome Center as an inviting and dignified space while improving pedestrian access and the arrival experience for residents. The refinements include an expanded entry plaza, an integrated stair and ramp design, revisions to the façade and glazing, a modest reduction in the Project’s building area to enlarge the entry plaza, and updated entry glazing and signage. As a result of the expanded entry plaza, the Project’s parking area has been shifted slightly to the west.

- **Additional Minor Refinements**

The Applicant has made additional adjustments both in response to agency comments and as the Project design continues to be refined by the Applicant and DHS team. These adjustments include revisions to the West Wing entry on Mount Olivet Road with an expanded plaza, updated placement of rooftop and ground-level mechanical equipment, lowering of the outdoor terrace screen height on the resident floors,¹ a revised window pattern on the West Wing’s south façade, as well as interior revisions to enhance operations such as enlarged elevator cores, enlarged elevator overruns, new elevator control rooms, and minor reorganization of interior spaces. Transformer vaults and a mechanical unit have been added to the rear of the Project adjacent to the parking lot.

III. Penthouse Setback Flexibility

In accordance with the Commission’s authority under Subtitle X § 303.1, the Applicant requests a new area of flexibility from the penthouse setback requirements for an elevator/stair

¹ The terrace screen height was reduced in response to CFA comments that the larger screen height created a fish-bowl effect for residents.

overrun at the southwestern corner of the Project's East Wing. As part of the initial application, the Applicant also requested flexibility from the requirements for vehicular parking space dimensions and loading berth dimensions.

Due to its location, the penthouse must be fully setback at a distance equal to its height on both roof walls pursuant to Subtitle C §§ 1504.1(b), (c)(1). The penthouse on the Project's East Wing is 15 ft. in height but has no setback from the side and rear roof wall. The placement of the elevator/stair over-run penthouse at the corner of the building is necessary due to the programming and floorplan layout as well as the Property's relatively narrow width on the eastern side. The lower floors of the East Wing are laid out in a uniform manner with a singular hallway with dormitories on one side and shared support spaces - including shower and toilet facilities, lounges and quiet rooms – on the other side. Additionally, each floor has a wide central corridor that enhances visibility and monitoring to ensure safety for residents and staff. If the stair and elevator were shifted, it would significantly disrupt the layout and impact these safety factors.

The penthouse will not adversely impact neighboring properties. The penthouse height of 15 ft. is well under the maximum permitted height of 20 ft. in the MU-9 zone and the Project is below the maximum building height permitted in the zone. The penthouse abuts a portion of the Property that is used for loading and parking. There is a 30-foot buffer between this part of the Project and the nearest neighboring property. Even so, the neighboring property to the southeast is improved with a two-story industrial building that will not be impacted by the penthouse setback flexibility. Finally, it should be noted that the Project has two other mechanical penthouses that are both compliant with setback requirements.

The Applicant believes the significant public benefits of this Project, which will provide new and dignified housing and support services for men experiencing homelessness, outweighs the relatively modest flexibility requested from the penthouse setback, parking and loading dimensions.

IV. Interagency Meeting Comments

On July 9, 2025 the Applicant participated in an interagency meeting on the Project. While the agency comments were relatively limited, the Applicant wishes to address the material comments in this filing.

- **DDOT**

DDOT requested the Applicant study the feasibility of providing street trees in public space along New York Avenue NE. The Project does not propose street trees due to the existing utilities in this area. A diagram of the existing utilities is attached as **Exhibit D**. There is a 3-foot minimum horizontal clearance to be accounted for from the edge of a tree at breast height to the underground utilities running along New York Avenue. With the 3-foot standard horizontal clearance, the 3-foot soil depth requirement per DC standard planting details, and the existing utility lines, the curb line for tree boxes would be unable to accommodate any tree plantings without relocating the utility mains running along NY Avenue at our site. However, relocating utility lines would be unreasonably expensive and is not within the Project's allocated budget.

In order to account for the lack of street trees, the Applicant is proposing a line of trees within the Property line just to the south of public space on New York Avenue. These trees will give the feel of street trees due to their location adjacent to public realm.

DDOT's Urban Forestry Division also requested additional information regarding the heritage tree on the Property to ensure the tree will be appropriately protected during and after construction of the Project. The Applicant provided Urban Forestry with an image showing both the critical and structural root zones, which is attached at **Exhibit E**. The Applicant purposefully designed the Project to accentuate and incorporate the heritage tree. Nonetheless, the Applicant will continue to coordinate with Urban Forestry to ensure that the heritage tree is appropriately protected in accordance with DDOT standards.

- **DCPL**

Finally, DC Public Library ("DCPL") requested the Applicant to clarify the Project's impact, if any, on the D.C. Public Library System. In light of the increase in shelter capacity, the Applicant has incorporated expanded on-site programming and supportive services to meet residents' daily needs within the facility, including quiet spaces and a computer lab. These services will minimize reliance on external institutions such as public libraries. The Woodridge Neighborhood Library is currently the closest branch to the existing shelter and will remain the closest branch to the proposed facility. Accordingly, the Applicant does not anticipate any increase in demand or change in the intensity of use of the Woodridge branch or the District's library system more broadly.

V. Transit Reduction Clarification

The transit reduction of Subtitle C § 701.2(c) allows for a 50% reduction in required vehicular parking for sites within ¼ mile of a Priority Corridor Network Metrobus Route, provided that the property is on a street on which participation in a District Residential Parking Permit program is not permitted. Routes X3 and 90, both of which are identified in Subtitle C § 701.2(c) as Priority Bus Routes, previously stopped within ¼ mile of the Property at the Mount Olivet Road/9th Street intersection. Therefore, per Subtitle C § 701.2(c), a 50% reduction in the Project's required parking has been applied.

However, WMATA recently overhauled its bus system, which has resulted in changes to the classification of routes. Route X3 was replaced with Route D36 as part of WMATA's Better Bus Network. Route D36 no longer stops within ¼ mile of the site at the Mount Olivet Road/9th Street intersection. Based on the WMATA changes, the Office of Planning has advanced a text amendment as part of ZC Case 25-12 to update the transit reduction provisions of Subtitle C § 702.1 to reflect the new WMATA network. The Zoning Commission has not yet held a hearing on that text amendment, and no action has been taken to formally revise the regulations.

As a result, there is now a temporary divergence between the text of the Zoning Regulations and the current bus system. Under Subtitle A § 301.7, a building permit authorized by an order of the Zoning Commission in a contested case "may be processed in accordance with the Zoning Regulations and Zoning Map in effect on the date the vote was taken to approve the application." In other words, until the text amendment is adopted, the applicable regulations are those currently in effect, which provide that the Property qualifies for the transit reduction by virtue of its location within one-quarter mile of the X3 line stop.

Whether the transit reduction is applicable or not, the Project is incorporating as much vehicular parking as is possible on the site. As noted in the application, the western side of the Property increases in elevation and features the Conservation Easement. In addition to challenges in aligning a parking lot with the elevation change, parking would be contrary to the Conservation Easement. This leaves the much narrower eastern part of the Property for parking, which limits the size and shape of the parking area and available spaces.

Nonetheless, the 42 parking spaces provided are sufficient to meet the needs of the Project. This conclusion is affirmed in the Comprehensive Transportation Review discussed below.

VI. Comprehensive Transportation Review

The Applicant is enclosing a Comprehensive Transportation Review for the Project, which was prepared by Wells + Associates, the Applicant's transportation consultant. See **Exhibit F**. The Comprehensive Transportation Review includes a proposed Transportation Demand Management plan.

VII. Community Outreach

The Applicant has continued to conduct extensive community outreach in connection with the Project. Overall, the Applicant has attended and presented at **15 community and stakeholder meetings** in connection with the Project, as detailed in the Applicant's prehearing statement at Exhibit 13C. Since the Applicant last updated the Commission, the Applicant attended ANC 5D's public meeting on May 13, 2025. At that meeting, ANC 5D voted to adopt a resolution in support of the Project, which will be filed in the record by the hearing date.

VIII. Outline of Witness Testimony with Expert Resumes

The following witnesses will testify on behalf of the Applicant at the public hearing:

- Rachel Pierre, Acting Director of D.C. Department of Human Services
- Renee Holmes, Senior Project Manager, Capital Construction Division, D.C. Department of General Services
- Suman Sorg, Project Architect from Sorg Design. Ms. Sorg will be proffered as an expert in architecture and design. Ms. Sorg's resume is attached at **Exhibit G**
- Jami Milanovich, Traffic Consultant from Wells + Associates. Ms. Milanovich will be proffered as an expert in traffic and transportation. Ms. Milanovich's resume is filed in the record at **Exhibit G**.

Testimony outlines for each witness are attached at **Exhibit H**.

IX. Conclusion

The Applicant thanks the Commission for its consideration of this filing and looks forward to the public hearing on September 29, 2025.

Sincerely,
COZEN O'CONNOR



Meridith H. Moldenhauer



Eric J. DeBear

Certificate of Service

I HEREBY CERTIFY that on this 2nd day of September, 2025, a copy of this Supplemental Statement with attachments was served, via email, on the following:

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