

**BEFORE THE ZONING COMMISSION OF THE
DISTRICT OF COLUMBIA**

**APPLICATION FOR A
CONSOLIDATED PLANNED UNIT DEVELOPMENT
AND ZONING MAP AMENDMENT**

**1201 New York Avenue NE
Washington, DC 20002
Parcel 0129/0115**

December 18, 2024

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LIST OF EXHIBITS

<u>DESCRIPTION</u>	<u>EXHIBIT</u>
Application Form 100	A
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Notice of Intent to File and Certificate of Notice	C
List of Owners of Property Within 200 Feet of Subject Site	D
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I. INTRODUCTION

A. Executive Summary of Requested Action

This statement and the enclosed documents support this application of the D.C. Department of General Services (the “**Applicant**”), as the implementing agency for the D.C. Department of Human Services (“**DHS**”), to the D.C. Zoning Commission (the “**Commission**”) for approval of a consolidated Planned Unit Development and related amendment to the Zoning Map of the District of Columbia (collectively, the “**Application**”) for the property known as 1201 New York Avenue NE (Parcel 0129/0115) (the “**Property**”). The Property is within the jurisdiction of Advisory Neighborhood Commission 5D (“**ANC**”).

The Applicant proposes to construct a new emergency shelter that will serve men experiencing homelessness in the District of Columbia (the “**Project**”). The proposed building has been named “The Heritage” and will provide needed 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.

As part of the subject Application, the Applicant seeks an amendment to the Zoning Map from the RF-1 zone to the MU-9 zone. The Comprehensive Plan’s Future Land Use Map (“**FLUM**”) designates the Property for High-Density Residential, High-Density Commercial, Production, Distribution and Repair, and Federal uses. The Comprehensive Plan’s Generalized Policy Map (“**GPM**”) identifies the Property as a “Federal” use and a “Future Planning Area.” The Applicant is utilizing the PUD/Map Amendment process in order to increase the permitted building height and allow for the proposed emergency shelter use on the Property.

As set forth below, this Application is submitted in accordance with the requirements of Subtitle Z, Chapter 3 of the District of Columbia Zoning Regulations of 2016 (the “Zoning Regulations”).

B. The Applicant

The Applicant is the D.C. Department of General Services, the District agency responsible for building, maintaining, and sustaining the government’s real estate portfolio, which includes more than 35 million square feet of District-owned and leased property. The Property is owned by the federal government and managed by the National Park Service (“**NPS**”). The Applicant is authorized to pursue this Application under an existing Transfers of Jurisdiction for the Property. The Applicant and NPS are working on an amendment to the Transfer of Jurisdiction to account for the new proposed use of the Property.

The Applicant seeks to construct the project on behalf of DHS, the District agency that provides residents with access to work opportunities, economic assistance, and supportive services. As part of its mission, DHS provides homeless and homelessness prevention services for families, individuals, and youth through short-term family housing, eviction prevention and rental assistance, emergency shelters, and shelter diversion programs. As an agency with extensive experience in the management and operation of emergency shelters, DHS’s operation of the

proposed Project would incorporate both emergency shelter components, as well as wrap-around services to better support residents of the Project.

DHS manages the existing emergency men's shelter currently located at 1355 New York Avenue NE (the "**Existing Shelter**"), which will be discontinued with all services relocated to the Project. The Existing Shelter is in dire need of a new building to better serve the community. The building was built in 1950 and suffers from numerous issues that make it challenging to provide a safe and comfortable environment for residents. These issues include:

- Failing HVAC systems, outdated electrical and plumbing infrastructure, and general wear and tear.
- Limited overall floor space to meet the needs of residents.
- Each dorm contains multiple sets of bunk beds, with limited space for storage.
- There is a lack of common space for day programming, which results in more individuals congregating outside of the facility.
- There is virtually no meeting space for private case management, which compromises client confidentiality and makes it hard for our partners at DBH to truly connect with their clients.
- The building does not truly provide ADA accessible space to clients needing such accommodations.

The Existing Shelter is operated by Catholic Charities DC, offers essential services such as hot meals, showers, and beds on a nightly basis, and also serves as a 24-hour hypothermia emergency shelter during the coldest months. Replacing the building is crucial to ensure that the shelter can continue to meet the needs of the community and provide a safe haven for those in need.

Additionally, there are a limited number of low-barrier shelters for men experiencing homelessness in the District. The Existing Shelter, which has 225 beds, often reaches capacity. Although the shelter does not open until 7:00 p.m., it is common for long lines to begin forming at 4:00 p.m. on many days. The Project seeks to address the issues with the Existing Shelter by providing improved living conditions, space for programming and increased resident capacity.

The Project advances the goals outlined in the Mayor's longstanding initiative "Homeward DC," a strategic plan to make homelessness in the District "rare, brief, and nonrecurring." *See Homeward DC 2.0*, pg. 6. Homeward DC was first announced by the Mayor in 2015 with the goal of ending homelessness. Through the expansion of rental subsidies for families and Short-Term Family Housing programs and services throughout the city, the District saw a 73% decrease in families experiencing homelessness between 2015 and 2021. (cite) Homeward 2.0 is the newest iteration of Homeward DC, which has a particular focus on combating homelessness experienced by unaccompanied adults.

The Homeward DC 2.0 Report for FY2021-FY-2025 provides that in order to achieve the goal of continuing capital and program improvement to the city's shelter stock, the District should continue the replacement and/or rehabilitation of low-barrier shelter facilities for individuals. More specifically, Objective 3.2.3 outlines the need to replace the existing New York Avenue

men's shelter with a "newly constructed, designed-to-specification facility." *See* Homeward DC 2.0, pg. 43. Thus, the subject Application is intended to help achieve the Mayor's city-wide goals to end homelessness.

II. BACKGROUND ON THE PROPERTY

A. The Site

The Property is a large, irregularly-shaped parcel with a land area of 203,868 square feet. The Property has frontage on New York Avenue NE, 9th Street NE, Mount Olivet Road NE, and Fairview Avenue NE. The Property is bisected by a private connector road (the "**Connector Road**") running between New York Avenue NE to Mount Olivet Road NE.¹ The larger, eastern portion of the Property is improved with a one-story building used as an animal shelter (the "**Animal Shelter Building**") and parking pad. To the west of the Connector Road, the Property is unimproved, forested area. As detailed below, the area to the west of the Connector Road is included in the Application, but the Project does not propose any new improvements on this part of the Property. There are two curb cuts at the Property – one on New York Avenue and another on Fairview Avenue. As part of the Project, the Applicant will close the curb cut on New York Avenue, with the Fairview Avenue curb cut remaining to provide access to parking and loading.

The Property is located in the RF-1 zone district, which extends to the south and west of the Property.² Much of the surrounding New York Avenue corridor is in the PDR zones, including the adjacent properties to the east. The Property is not located within a historic district. There is a forest conservation easement (the "**Conservation Easement**") encumbering a swath of the Property between the Animal Shelter Building and the Connector Road. The Conservation Easement is for the benefit of NPS and was provided in connection with a 2010 Transfer of Jurisdiction concerning the parcel to the west of the Property. The Applicant is working with NPS to modify the Conservation Easement for the Project. Finally, there is a large heritage tree (the "**Heritage Tree**") by the Property's New York Avenue frontage that will remain.

B. The Surrounding Ivy City Neighborhood

The Property is located along the New York Avenue corridor on the outskirts of the Ivy City neighborhood. Most of the nearby properties are improved with PDR-type uses, including the directly abutting warehouses on Fairlawn Avenue NE and Okie Street NE. Further to the east down New York Avenue is a gas station and a large lot used to store school buses and other municipal vehicles. To the southeast of the Property is a row of 16 attached single-family homes that front on Mount Olivet Road SE. To the south of the Property across Mount Olivet Road is the back portion of Gallaudet University. To the west across 9th Street NE is the corporate office for the U.S. Park Police - National Mall and Memorial Park Brentwood Facility. Across New

¹ A portion of the Property where the connector road is located was previously transferred to the District of Columbia for "highway" purposes. While the connector road was constructed by the city and is within the Department of Transportation's portfolio, the road has not been formally adopted as part of the public right-of-way.

² As federally-owned property, the Property was historically unzoned but, at some point, was re-zoned to the RF-1 zone district. There are no prior zoning map amendment cases for the Property; therefore, it is unclear how the Property was re-zoned or whether it was re-zoned in error.

York Avenue to the north of the Property are railroad tracks for AMTRAK, metro and other lines that connect to Union Station.

C. Transportation Systems

The Property's location in the Ivy City neighborhood provides various options for public transportation. The Property is approximately one mile from the NoMa/Gallaudet U Metrorail Station. Union Station is one metro stop to the south of NoMa/Gallaudet U and provides expedient connections to interstate rail lines such as Amtrak, MARC, and VRE. Additionally, there are Metrobus stops serving Route D8 at the Property's frontage on Mount Olivet Road NE and Routes 90 and X3 approximately 0.5 miles southwest of the Property along Brentwood Parkway NE.

There are three Capitol Bikeshare stations within one mile of the Property at Union Market; Montello Avenue and Holbrook Terrace NE; and Capitol Avenue and Kendall Street NE, which is less than 0.5 miles from the Property. Overall, the Property is designated as "Very Walkable" and "Bikeable" with proximity to "Good Transit" by walkscore.com.

III. THE PROJECT

The Applicant proposes to construct a new emergency shelter building for men experiencing homelessness that will include five distinct programs: low barrier shelter housing, work program housing, senior housing, respite, and hypothermia housing. A copy of the architectural plan set (the "**Architectural Plans**") is enclosed at **Exhibit H**. To make space for the Project, the Applicant proposes to move the Animal Shelter to an off-site location and then demolish the Animal Shelter Building. Overall, the Project will provide 407 permanent beds as well as space for approximately 80-100 cots to serve hypothermia shelter needs. The Project will also provide a medical clinic, administrative space, central dining, educational space, and recreational space.

The Project aims to address many of the negative conditions in the Existing Shelter. In addition to being a purpose-built shelter with new systems, the Project will have more space per resident despite an overall increase in the number of clients that can be served. The Project will provide safer and more humane sleeping arrangements by eliminating bunk beds and the "warehousing of people." The Project also allows DHS to offer better services for residents, including a Day Center and private meeting rooms for case management and mental health professionals.

The Project is compliant with the standards in the proposed MU-9 zone. The Project would have an approximate floor-area-ratio ("**FAR**") of 0.5 and a maximum building height of 85 feet. The Project has a lot occupancy of 15% and a 30-foot rear yard setback. The Project will provide 42 vehicle parking spaces, 10 long-term and 10 short-term bicycle parking spaces, and one loading berth and service/delivery space. While the Project will meet and exceed the vehicular parking requirement, the Applicant is seeking flexibility to provide entirely compact-sized spaces. The full development data and zoning tabulations can be found in the Architectural Plans at **Exhibit H**.

A. Site Plan and Layout

The Project is oriented along New York Avenue NE with the massing split into a six-story east wing (“**East Wing**”) and a four-story west wing (the “**West Wing**”) that are separated by a two-story glazed atrium. There will be two entrances to the Project. The primary entrance is a welcome center (“**Welcome Center**”) at the northeast corner of the site off Fairlawn Avenue NE. The Welcome Center allows intake queuing to occur within the building, alleviating a challenge at the Existing Building. See **Exhibit H**, Sheet 0.38. The Welcome Center provides intake services, security/screening areas, waiting and storage space for residents, a “hot box” to irrigate clothing, a barber shop, and a clothing shop. There will be an enclosed corridor leading from the Welcome Center to the first floor of the East Wing. A second entrance for the work program, senior program, and respite housing is located at the western side of the Project off the Connector Road. Due to a change in elevation on the Property, the western entrance is on the Project’s second floor.

In addition to the Welcome Center, the East Wing will feature administrative office space, wrap-around support services, a commercial kitchen and dining services, community dorms and the low-barrier shelter housing. The West Wing will provide intake, security and screening areas, a medical clinic, multipurpose rooms, respite housing, senior housing and work program housing. The multipurpose rooms will function as a Day Center to provide life skills programs for residents, but can be converted to a hypothermia shelter when needed. Each group of dormitories will have its own shared support spaces, including shower and toilet facilities, lounges and quiet rooms. To ensure safety and security for staff and occupants, the Project provides wide central corridor that enhances visibility and monitoring. All floors in the Project will have outdoor terrace areas to provide additional recreation space for residents.

To the rear of the Project will be an at-grade parking pad that is accessed from a curb cut off Fairlawn Avenue NE. The parking area is gated for security purposes and provides 42 vehicular parking spaces, all of which be compact spaces. There will be a loading berth and platform located at the rear of the East Wing that is also accessed from the same curb cut off Fairlawn Avenue. The Project provides ample outdoor space that will feature new plantings and landscaping along with a walking path. As noted, the Applicant is working with NPS to modify the Conservation Easement. The Applicant is proposing to remove the portion of the Conservation Easement that is within the footprint of the West Wing, but expand the Conservation Easement to the west. Once finalized, the modified and expand Conservation Easement will ensure that a substantial part of the Property will remain as green space.

The Project also proposes new landscaping, tree plantings, and bioretention by the building’s frontage facing New York Avenue. The Project will improve pedestrian safety along New York Avenue by closing the existing curb cut and creating a new landscaping strip along the street. The Project will have a mechanical penthouse comprised of elevator and stair overruns. The Project is also designed to meet Net-Zero Energy standards and achieve a LEED-Gold certification with a large green roof and solar panel array.

B. Architecture and Design Approach

The Project employs a modern aesthetic with unique materials to provide memorable architecture along New York Avenue NE. The fulcrum of the Project is the Heritage Tree located at the center of the site. The Project is designed to maintain and accentuate the Heritage Tree using a split wing design. The West Wing - the smaller of the two wings - is sited along New York Avenue to create a strong presence on the right-of-way. The larger East Wing is angled away from New York Avenue in order to reduce its visual impact and create a partially enclosed space around the Heritage Tree.

The Project's architecture is inspired by the nearby Hecht Warehouse Apartments, a historic building located at 1401 New York Avenue NE. The Project provides a series of stepped terraces that modulate the building's form from the northeast and southwest, preserving the views and sight lines of New York Avenue NE. The terraces are intended to mimic the stepped façade on the Hecht building. The Project also incorporates punched openings and a glass and masonry exterior like the Hecht building.

The majority of the facade consists of white brick in an elongated format installed in a stack bond pattern. Copings will be painted aluminum matching the window frame color. Windows, storefront, curtain wall and entry doors will be factory painted aluminum frames. Glazing will be lightly tinted and insulated with an argon fill and a Low-E coating. The south and west facing facade glazing of the atrium will feature a frit pattern that will provide 70% coverage that will limit solar heat gain and glare. Terrace Screens will be composed of laminated glass with a gradient translucent interlayer that will provide privacy. The Welcome Center and west entry canopies will consist of a painted, aluminum-clad steel frame supporting suspended laminated glass panels featuring a frit pattern that will provide shade. Exposed soffits at the kitchen and terrace overhangs will be clad with painted gypsum soffit board. The service door, utility room doors and exit doors from stairs and exit corridors will be painted hollow metal. Garden walls will be clad in brick and retaining walls will be exposed concrete.

The Project is also designed with an emphasis on residents' health and well-being. In particular, the Project places a strong emphasis on access to natural light and outdoor space. Strategically placed glazing and enclosed glass terraces on each floor ensures maximum daylighting in the dorms and offers a visual connection to the outside for residents. Despite the Property's location, the Project's exterior is carefully designed to provide ample landscaped recreation areas.

As a whole, the Project furthers many of the architecture and design goals expressed in the Ivy City Small Area Plan ("**Ivy City SAP**") and New York Avenue NE Vision Framework ("**Vision Framework**"). The Ivy City SAP calls for reducing massing away from New York Avenue NE (Design Principle A), varying building frontages to ensure a pedestrian-scale of development (Design Principle E), and creating visual interest with different textures, colors and features that reflect industrial-style architecture common in the neighborhood (Design Principle H). Similarly, the Vision Framework (Action Item 4) calls for concentrating building height along New York Avenue and retaining the corridor's identity as a former manufacturing and industrial hub through the use of industrial-inspired architecture and design. The Project achieves these

goals in a thoughtfully-designed and scaled building that puts a modern spin on the neighborhood's industrial history.

C. Operations and Programming

The Project will be operational 24 hours a day, seven days a week to meet the needs of men experiencing homelessness in the District.³ Based on the Existing Shelter, it is expected that there will be an average of 225 daily residents, with an additional 75 clients daily utilizing the Day Center and 25 clients daily at the clinic. During hypothermia season, approximately 50 clients are expected nightly. In terms of staffing, there will be 35 full-time staff plus security guards at the Project. As with the Existing Shelter, staffing will be shift-based, with an expected three shifts per day of 8:00 a.m. – 4:00 p.m., 4:00 p.m. – 12:00 a.m. and 12:00 a.m. to 8:00 a.m.

As noted, there will be five distinct programs comprised within the Project, all of which serve men experiencing homelessness.

- ***Low Barrier Shelter:*** The low barrier shelter is a general shelter operation with 180 beds available on a “first come, first served” basis.
- ***Work Program:*** The work program has 50 beds to serve individuals who are employed but without permanent housing. To qualify for the work program, a resident must provide documentation that he is working 20 hours or more per week or is enrolled in an approved educational program, such as college or trade training. Case management is required for the work program.
- ***Senior Program:*** The senior program has 52 beds to serve individuals who are over a certain age or have a pre-defined set of medical conditions that can best be served in a setting other than the low barrier shelter. Case management is required for the senior program.
- ***Respite/Sobering:*** Designed to offer medical support to residents during periods of recovery or reconnection to health care. The average length of stay is generally four – six weeks. Admission to the program is determined by a medical team based on review of the client's medical records and the ability to identify a specific medical goal which can be addressed during the client's stay in the program. There are 24 respite dorms and seven sobering dorms.
- ***Hypothermia Shelter:*** During hypothermia season, the multi-purpose room will be converted to serve clients in need of overnight shelter from the weather. The hypothermia shelter will be activated from 7:00 p.m. to 7:00 a.m. during hypothermia season and can accommodate 80-100 cots.

There will also be Community Dorm space, which will offer flexible space to accommodate additional residents from other programs, when necessary. The Community Dorm space will have 94 beds and provide the same facilities (i.e. showers, a lounge, etc.) as for the other programs.

³ The Project operator will be identified through a public request for proposals. Catholic Charities operates the Existing Shelter as well as the 801 East Men's Shelter.

For current residents of the Existing Shelter, DHS will work closely with residents and case managers to transition to the Project, once constructed. DHS, through The Community Partnership and Catholic Charities, will provide legally required “Notice of Transfer” to all clients in addition to holding townhalls to discuss details of the move. In addition, Catholic Charities and DHS will intensify case management efforts for the weeks prior to increase residents movement to other permanent housing resources, while reducing the number of residents in the initial move. DHS will utilize a multi-disciplinary team comprised of DHS staff and provider partners to assist with residents that need additional support. DHS will have a transition period of no more than five days and will utilize a transportation vendor that has experiencing with the population we serve.

D. Tabulation of Zoning Data

The chart below summarizes the general zoning parameters in the current RF-1 zone, for a PUD in the MU-9 zone, and the proposed Project. From a use perspective, the proposed emergency shelter use is not permitted in the RF-1 zone, but is permitted by-right in the MU-9 zone. *See Subtitle U § 515.1(h).*

	Existing RF-1	Allowable Under MU-9 PUD	Proposed Project
FAR	N/A	7.8/9.36 with IZ	0.5
Lot Occupancy	40% max.	100% max.	15%
Height	35 ft.	130 ft. max.	East Wing – 83 ft. West Wing – 61 ft.
Penthouse Height	12 ft. one story	20 ft. (1 story plus mezzanine; Second story for mechanical)	9 ft. 6 in.
Front Setback	N/A	None	None
Rear Setback	20 ft.	2.5 in./1 ft. of building height (17 ft.)	30 ft.
Side Yard	N/A	None	None
Vehicle Parking	25 spaces	<u>Emergency Shelter</u> .5 spaces per 1,000 sq. ft. (25 spaces) ⁴	42 spaces
Bicycle Parking	Long-Term: 10 spaces	<u>Emergency Shelter</u>	Long-Term: 10 spaces Short-Term: 10 spaces

⁴ With 50% transit proximity reduction due to location within 0.25 miles of metrobus line X3, a priority corridor network route pursuant to Subtitle C § 702.1.

	Short-Term: 10 spaces	Long-Term: 1 space/10,000 sq. ft. (10 spaces) Short-Term: 1 space/10,000 sq. ft. (10 spaces)	
Loading	1 Loading and 1 Service/Delivery	<u>Emergency Shelter</u> 30,000 – 100,000 sq. ft. (1 Loading Berth and 1 Service/Delivery)	No compliant ⁵ Loading Berth and 1 Service/Delivery
GAR	0.20 min.	0.20 min.	0.50
Courts	N/A	<u>Open Court – Width</u> 4 in./1 ft. of height; 10 ft. min. <u>Closed Court – Width</u> 4 in./1 ft. of height; 15 ft. min. <u>Closed Court – Area</u> Twice square of required width; 350 sq. ft. min.	Court 1 – 54’9” width Court 2 – 30’6” width Court 3 – 19’ width

E. Flexibility Requested

The PUD process allows for greater flexibility in planning and design than under matter-of-right zoning standards. Pursuant to Subtitle X § 303.1, the Commission may grant relief from any development standard, with the exception of use restrictions. Further, under Subtitle X § 303.13, an applicant may request approval of any relief for which special exception approval is required. The Commission shall apply the special exception standard applicable to such relief unless the applicant requests flexibility under those standards. In such an event, the request shall be considered the type of development flexibility against which the Commission shall weigh the benefits of the PUD.

The Applicant requests flexibility from the requirements for vehicular parking space dimensions and loading berth dimensions. The Project’s public benefits, discussed in more detail below, are sufficient to justify the granting of this flexibility.

i. Parking Space Dimensions

The Project will provide 42 compact parking spaces, which exceeds the minimum requirement of 25 spaces for an emergency shelter use with approximately 99,599 sq. ft. Under Subtitle C § 712.3(a), when four or more parking spaces are required for a use, at least 50% of the spaces must meet or exceed the full-sized dimensions of 9 ft. in width by 18 ft. in depth. *See*

⁵ The proposed loading berth is 8 ft. x 26 ft. and does not comply with the required dimensions of 12 ft. x 30 ft. The Applicant seeks flexibility to provide a non-compliant loading berth.

Subtitle C § 712.5. By comparison, compact space dimensions can be 8 ft. in width by 16 ft. in depth. *See* Subtitle C § 712.6. Accordingly, the Project must have 13 spaces (50% of the required total) that meet full-sized dimensions.

The Project will not provide any full-sized parking spaces in order to maximize the available number of parking spaces for staff. If the Applicant were to meet the requirement of 50% full-sized spaces, the total parking would be reduced. The Property is uniquely-shaped, with an increase in elevation toward the western side of the site along with the presence of the Conservation Easement. These features create challenges in re-aligning the parking area to provide more full-sized spaces. Parking cannot be located on the western side of the site because it would be contrary to the Conservation Easement. This leaves the much narrower eastern part of the Property that limits the size and shape of the parking area.

The flexibility will not create any adverse impacts. The Applicant and DHS have determined that compact spaces are sufficient to meet staff parking needs. Since the Project's parking will be limited to shelter staff, the size of parking spaces would not otherwise impact the general public.

ii. Loading Berth Dimensions

The Project will provide one loading berth, which meets the requirement for an emergency shelter between 30,000 and 100,000 sq. ft. *See* Subtitle C § 901.1. However, a required loading berth must have a dimension of 12 ft. by 30 ft. *See* Subtitle C § 905.2. Here, the Project's loading berth will be 8 ft. in width by 26 ft. in length, and, therefore, flexibility is requested. The Project will provide the required adjacent loading platform.

The Applicant requests flexibility because there is insufficient on-site space to allow for the appropriate turning radius of large trucks. The need for flexibility is driven by similar factors as for parking space dimensions. The Property is uniquely-shaped and there is limited area for parking and loading drive aisles due to the increase in elevation along the western side of the Property and the Conservation Easement. The proposed loading area is located by the narrower part of the site, thereby limiting the drive aisle to 30 feet in width. These conditions leave limited room for truck maneuvers.

Nonetheless, the provided loading berth will be sufficient to meet Project needs. The primary loading needs will be for food deliveries, mail and packages, and trash. Unlike a residential apartment building, shelter residents will have limited personal belongings, and there will be no loading need for move-in/move outs. Therefore, the largest truck that will service the Property will be a trash truck, which can be accommodated by the Project's loading berth. Accordingly, the loading berth dimension flexibility will not adversely impact neighboring properties as the proposed loading berth is sufficient to allow for appropriate loading and unloading at the Project.

F. Design Flexibility

In addition to the requested zoning flexibility, the Applicant seeks the following design flexibility as part of the PUD process:

1. Interior Components: To vary the location and design of all interior components, including partitions, structural slabs, doors, hallways, columns, stairways, atria, and mechanical rooms, provided that the variations do not change the exterior configuration of the building as shown on the plans approved by the order.
2. Exterior Materials – Color: To vary the final selection of the colors of the exterior materials based on availability at the time of construction, provided such colors are within the color ranges shown on the plans approved by the order.
3. Exterior Details – Location and Dimension: To make minor refinements to the locations and dimensions of exterior details that do not substantially alter the exterior configuration of the building or design shown on the plans approved by the order. Examples of exterior details include, but are not limited to, doorways, canopies, railings, and skylights.
4. Streetscape Design: To vary the location, attributes, and general design of the approved streetscape to comply with the requirements of, and the approval by, the DDOT Public Space Division or the Public Space Committee or other permitting process.
5. Signage: To vary the number, font, message, logo, and color of the project signage, provided that the maximum overall dimensions and signage materials are consistent with the signage on the plans approved by the order and are compliant with the D.C. signage regulations.
6. Shelter Beds: To modify the number of shelter beds by plus or minus 10%, provided that the total square footage of the Project shall be not be reduced.
7. Sustainable Features: To vary the approved sustainable features of the Project and the features, means, and methods of achieving the required GAR and Enterprise Green Communities certifications.

G. Project Goals and Objectives and Benefits of Using the PUD Process

The Applicant's goal for the Project is to develop the Property to provide a much needed, improved emergency men's shelter for the District of Columbia. The Project will play a large role in the city's ongoing efforts to support unhoused individuals in the District by providing a safe and secure sleeping location with wraparound services.

The PUD process offers the appropriate means to achieving these objectives by providing for a change in use permissions as well as increased density on a uniquely-shaped site while also allowing for increased community and District agency review and comment to ensure the Project is well-designed, limits adverse impacts and meets the needs of residents.

H. Agency and Community Outreach

The Applicant has engaged with the Office of Planning (“OP”) and the Department of Transportation (“DDOT”). The Applicant originally met with OP in December 2022 in order to discuss the general goals for the new shelter.⁶ At that time, the Applicant was contemplating pursuing a zoning map amendment-only; however, due to the Property’s FLUM designation, OP encouraged the Applicant to incorporate a PUD with the map amendment. On August 28, 2024, the Applicant met with OP for a second time to review the Project in the context of a PUD. The Applicant also met with DDOT on October 30, 2024 to discuss transportation aspects of the Project.

The Applicant and DHS are also working with the Interagency Council on Homelessness (“ICH”), a group of cabinet-level leaders, providers of homeless services, advocates, and homeless/formerly homeless leaders. The goal of the ICH is to inform and guide the District’s strategies and policies for meeting the needs of individuals and families experiencing homelessness. On August 15, 2024, the Applicant and DHS presented the Project to ICH, which indicated broad support for the Project’s design and programming.

Additionally, DHS has conducted engagement with residents and staff of the existing shelter building on New York Avenue and the new men’s shelter building on the St. Elizabeth’s East campus. DHS surveyed 100 residents on topics that included shelter usage, type of specialty beds that are most helpful, maximum number of people in a particular dormitory and other critical concerns. DHS also surveyed 39 staff members of the shelter buildings on topics such as roles, concerns, privacy, security, and support services. The survey results informed the design and programming of the Project.

The Applicant and DHS presented the Project to ANC 5D at its public meeting on October 8, 2024. The Project was well-received, with several commissioners indicating support for the new shelter location. Following the meeting, the Applicant corresponded with Single Member District Commissioner Sebrena Rhodes to remain in touch with ANC 5D. The Applicant looks forward to more extensive dialogue with the community in the coming months.

I. Development Timetable

The Applicant’s goal is to begin construction of the Project in 2026, with the intent to deliver the completed Project by Fall 2028.

IV. THE PROJECT SATISFIES THE PUD EVALUATION CRITERIA

In order to approve a PUD, the Commission must find that the proposed development meets the minimum land area requirements as well as:

- (a) Is not inconsistent with the Comprehensive Plan and with other adopted public policies and active programs related to the subject site;

⁶ The Applicant intended to file a zoning application in 2023 but, due to budgetary constraints, the Project was placed on hold. The Project was re-started in Spring 2024.

- (b) Does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the project; and
- (c) Includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site. *See* Subtitle X § 304.4.

For the reasons explained below, the Project is not inconsistent with the Comprehensive Plan, would not result in unacceptable impacts to the surrounding area of city facilities, and would provide substantial public benefits.

A. Minimum Land Area Requirement

A PUD in the MU-9 zone must have a minimum land area of 15,000 sq. ft. pursuant to Subtitle X §301.1. The Property is 203,868 square feet and, therefore, the minimum land area requirement is satisfied.

B. The Project is Not Inconsistent with the Comprehensive Plan and other Policies

In reviewing a PUD application, the Commission must find that the Shelter is not inconsistent with the Comprehensive Plan. *See* Subtitle X § 304.4(a). As set forth in **Exhibit I**, the Project is not inconsistent with the Comprehensive Plan and other adopted public policies as viewed through a racial equity lens.

C. The Project Will Result in Either Favorable Impacts or Impacts that are Capable of Being Mitigated

Pursuant to the PUD evaluation criteria, the Commission must find that the Project does not result in unacceptable project impacts on the surrounding area or on the operation of city services and facilities, but instead shall be found to be either favorable, capable of being mitigated, or acceptable given the quality of public benefits in the Project. *See* Subtitle X § 304.4(b). As described below, any impacts of the Project are favorable, capable of being mitigated, or acceptable given the quality of public benefits offered by the Shelter.

Zoning and Land Use Impacts: The Property is suitable for a zoning map amendment to the MU-9 zone, as the zoning is consistent with the FLUM designation. The Property is located on a major arterial street that can support greater density. The proposed Project will advance the goals and intent of the MU-9 zone and is compatible with the development scheme and character of the surrounding area. The MU zones are designed to provide a broad range of mixed-use developments, including residential and institutional uses. *See* Subtitle G § 101.1-101.2. In accordance with Subtitle G §§ 101.3(c) and 101.3(e), the Project would be a compatible infill development of a site that could be used more efficiently and will add to the variety of building types in the surrounding area as a unique, modern structure that also blends with the character of the neighborhood. Accordingly, the Application's impact on zoning and land use is favorable.

Housing Impacts: The Project replaces the existing men's shelter building at 1355 New York Avenue NE, which is in poor condition and not suitable to provide critical services for individuals experiencing homelessness. The Project will alleviate a strain on the city's capacity to provide housing and appropriate support services for its homeless population. As expressed in Homeward D.C. 2.0, the Project's goal is make homelessness rare, brief and non-recurring. Therefore, the potential impacts to housing are favorable.

Economic Development Impacts: The Project will improve an underutilized site with new and modern architecture as envisioned in the Ivy City Small Area Plan and New York Avenue Vision Framework. As a bookend to the Ivy City neighborhood, the Project will establish a sense of place and begin the connection to the rest of the neighborhood down the New York Avenue corridor. This will benefit the neighborhood as a whole. The redevelopment of the Property will, therefore, positively contribute to the neighborhood and economic development impacts will be favorable.

Urban Design: The Project achieves high-quality urban design by incorporating the historic industrial characteristics of the Ivy City neighborhood into a modern and inviting aesthetic. The two wings allow the Project to distinguish and highlight the building's massing with different alignment. The tiered terraces contribute to the unique architectural design while simultaneously providing additional recreation space for residents. Additionally, the Project offers improvements to public space to improve pedestrian mobility and safety. Thus, the Project will create a favorable impact on urban design.

Parks, Recreation and Open Space: The Project makes efficient use of a relatively small site to provide ample outdoor recreation space for residents. The Project is also able to achieve all of the necessary programming while modifying and expanding the Conservation Easement. The existing open space to the west of the Connector Road will remain, as is. Accordingly, the Project the potential impacts to parks, recreation and open space are favorable or otherwise capable of being mitigated.

Transportation and Mobility Impacts: The Project exceeds zoning requirements for vehicular parking by providing 42 spaces, and will meet zoning requirements for bicycle parking and loading. The parking spaces will be reserved for staff, and residents are not expected to have personal vehicles. To that extent staff demand for parking exceeds the number of spaces on site, there are numerous nearby public transportation options, including Metrorail, three Metrobus bus route stops, and three Capitol Bikeshare stations. To that end, the Project will improve the safety of public space adjacent to the Property by widening the sidewalk and creating a planting buffer from New York Avenue. The intent of the Ivy City Small Area Plan and New York Avenue Vision Framework is to further enhance public space and mobility by adding new bicycle lanes and improving pedestrian facilities along New York Avenue.

Nonetheless, any potential adverse impacts to transportation and mobility can be mitigated through a transportation demand management plan. Therefore, the potential impacts to transportation and mobility are either favorable or otherwise capable of being mitigated.

Environmental Impacts: The Project is designed with sustainability objectives in mind by meeting Net-Zero Energy standards and anticipated LEED Gold v4 certification. The Project also provides extensive new landscaping and tree plantings around the site, including the preservation of the Heritage Tree. The Project will implement modern stormwater management techniques. Therefore, the potential environmental impacts are either favorable or otherwise capable of being mitigated.

Public Facilities – Public Schools, Libraries, and Parks: The existing shelter building is less than 0.5 miles from the Property; as such, the Project would not change impacts to public facilities. Nonetheless, with regard to DC Public Schools, the Project will not serve school-age children and will have no impact on public school enrollment. It is unlikely that residents will use public libraries. The Project will provide ample outdoor recreation space that will alleviate any potential use of public parks. Therefore, the potential impacts to public facilities are favorable or otherwise capable of being mitigated.

Public Health and Safety Impacts: The Project promotes public health by providing respite and sobering housing, a health clinic, and outdoor recreation and wellness area for residents to help improve their mental well-being. Further, the Applicant proposes to erect a security fence along New York Avenue NE to protect pedestrians, cyclists, and drivers who utilize this major thoroughfare.

Utilities Impacts: The Property is improved with the Animal Shelter Building and is currently served by all major utilities, including water, sewer, storm, and electric. While the Project will increase utility usage as compared to the Animal Shelter Building, the potential impacts are acceptable given the quality of public benefits in the Project.

Historic Preservation: The Property is not within an historic district and, therefore, the Project will not have any impacts on historic preservation.

D. Public Benefits and Project Amenities

The Project will offer a range of public benefits and amenities for the surrounding neighborhood and the public generally. As required under Subtitle X § 304.4, the Commission must find that a proposed PUD “includes specific public benefits and project amenities of the proposed development that are not inconsistent with the Comprehensive Plan or with other adopted public policies and active programs related to the subject site.” Accordingly, the benefits outlined below will further the goals set forth in the Zoning Regulations and the Comprehensive Plan.

1. Superior Urban Design and Architecture (Subtitle X § 305.5(a))

The Project’s architecture provides a modern aesthetic and energy-efficient design that incorporates industrial-style design as a nod to the prevailing architectural theme in Ivy City. The Heritage Tree is incorporated in the design and becomes a focal point. The stepped terraces will distinguish the Project while achieving the goal of additional recreation space for residents. The Project will use high-quality materials with a majority of the façade consisting of brick installed in a stack bond pattern.

2. **Superior Landscaping, or creation or preservation of open spaces (Subtitle X § 305.5(b))**

The Project will repurpose the green space located on the southwestern portion of the Property into an outdoor recreation space for residents. The outdoor space will include an amenity deck and walking path. Extensive new plantings and landscaping will be provided at the front and rear of the Project. The Conservation Easement will be reconfigured and enlarged to ensure perpetual green space at the Property.

3. **Site Planning and Efficient and Economical Land Utilization (Subtitle X § 305.5(c))**

While the overall Property is large, there are several site elements that create challenges for constructing the Project. First, the Connector Road bifurcates the Property and does not allow for one structure to extend across the entirety of the site. Second, the Conservation Easement must be largely maintained. Therefore, the buildable area for the Project is relatively small, requiring an efficient and economical use of the Property. Nonetheless, the Project achieves the extensive programming needs of the men's shelter, including outdoor recreation space and parking.

4. **Housing (Subtitle X § 305.5(f))**

The Project provides temporary housing for men experiencing homelessness. Under the current RF-1 zone district, a matter-of-right emergency shelter use is limited to four individuals. In comparison, the proposed MU-9 zone district does not limit the number of individuals the Project can serve.

5. **Superior Environmental and Sustainable Benefits (Subtitle X § 305.5(k))**

The Project will be designed to meet Net-Zero Energy standards and is anticipated to achieve LEED Gold v4 certification. The Project incorporates sustainable features including solar energy, green roofs, and high efficiency building systems among other measures. As previously stated, the Project's relocation and expansion of the Conservation Easement will provide for more healthy trees and plant life.

6. **Other Public Benefits Advancing Policy Objectives (Subtitle X § 305.5(r))**

The proposed emergency shelter would meet a critical need for the District of Columbia. As in many urban settings, Washington, DC has faced challenges with providing temporary housing for individuals experiencing homelessness. As outlined herein, the existing shelter at 1355 New York Avenue is inadequate. The Project will not only provide new and appropriate facilities for men experiencing homelessness, but can also service more types of programming, including the work program, support for seniors and others with medical needs, hypothermia services, and respite.

V. CONCLUSION

For the foregoing reasons, the Applicant submits that the enclosed Application meets the standards set forth under Subtitle X, Chapter 3 of the Zoning Regulations. The proposed PUD and Map Amendment are consistent with the purposes and intent of the Zoning Regulations, Maps, and Comprehensive Plan; will enhance the health, welfare, safety and convenience of the citizens of the District; will provide significant public benefits; and will advance important goals and policies in the District of Columbia. As such, the PUD and Map Amendment should be approved.

Accordingly, the Applicant respectfully requests that the Commission set down the PUD application and related Map Amendment for a public hearing at the earliest date available.

Sincerely,
COZEN O'CONNOR



Meridith H. Moldenhauer



Eric J. DeBear