



**TO:** District of Columbia Zoning Commission

**FROM:** *JL for* Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation  
 Stephen Cochran, Project Manager

**DATE:** June 19, 2020

**SUBJECT:** Preliminary Report – ZC 66-68A – Consolidated Review and Approval of a Major Modification to an Approved PUD at 4<sup>th</sup> Street, NE and Edgewood Street, NE (Edgewood Commons) Square 3630, Lots 2, 5, 803, 805, 807 & 810 - 813

**I. OFFICE OF PLANNING PRELIMINARY RECOMMENDATION**

The Office of Planning (OP) recommends the Zoning Commission (the Commission) set down for a public hearing the application by Enterprise Community Development, Inc. for a major modification to the existing planned unit development (PUD), and with relief from long-term bicycle parking and the maximum number of users permitted by an adult daycare.

The proposal is not inconsistent with the Comprehensive Plan and the application, as supplemented on May 28, 2020, is sufficient for setdown. Additional information and issues for with additional resolution is needed are noted throughout this report and summarized in Section VI.

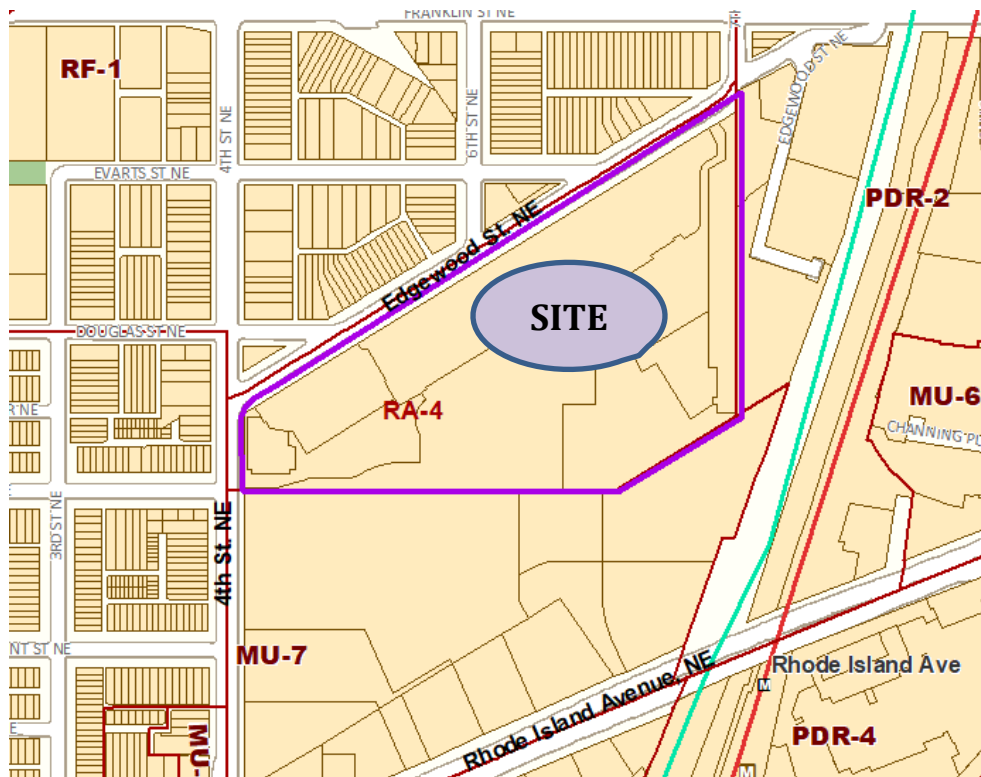


Figure 1. Location and Zoning



## II. APPLICATION AND PRELIMINARY ANALYSIS SUMMARY

### A. Context

The overall PUD site is 14.9 acres, generally triangular, and slopes downward from north to south. It is bounded by 4<sup>th</sup> Street, N.E., Edgewood Street, N.E., rail and Metrorail tracks and a shopping center being redeveloped as a mixed-use development on the north side of the 400 to 600 block of Rhode Island Avenue, N.E. Development to the north and west is generally rowhouses and small apartment buildings. The project to the south, currently under construction, will eventually have nine buildings, generally 65-foot tall. That development and the applicant's site will have direct access to the Rhode Island Avenue Metro Station via a pedestrian bridge.

The applicant is proposing to construct a new residential building on a 43,774 square foot tax lot within the overall PUD, which was approved as a Large Scale Planned Development<sup>1</sup> (LSPD) in Order 66–68. That Order, as well as subsequent BZA Orders, approved the following:

- A Related map amendment to what is now RA-4;
- Up to 2.2 FAR;
- 7 buildings of varying height, but with a maximum height of 90 feet;
- 1179 residential units, of which no fewer than 500 units set aside for low-income households;
- Up to 35,000 square feet of community service facilities and a up to 35,000 square feet of retail space;
- Completion of project by September 1975.

The existing development within the PUD was completed by 1976. It is described in the application as consisting of:

- Seven buildings,
  - Three are ~ 90 feet tall and located on the southern and eastern sides of the site;
  - Four are 3 - 4 stories tall and located adjacent to Edgewood Street on the northern side of the site;
- 792 affordable residential units
  - 200 restricted to seniors at less than 50% of the MFI
  - 592 for households with incomes restricted by Low Income House Tax Credit (LITEC) or Project-Based Rental Assistance programs;
- 1.25 FAR;
- 423 parking spaces concentrated in surface lots on the southwestern, southern, and southeastern part of the site as well as an above-grade parking garage adjacent to the rail tracks on the east side, a
- Playgrounds, passive recreation areas and extensive landscaping and pedestrian paths throughout the site.

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<sup>1</sup> LSDB's were equivalent to PUDs. For LSDBs and early PUDs, the Zoning Commission approved general size, massing, heights and uses as is now done with Preliminary PUDs or Consolidated PUDs, but for Preliminary PUDs the BZA approved what are now called the 2<sup>nd</sup> Stages of PUDs and modifications to the original Commission orders.

## B. Proposed Project Summary

The proposal is intended to provide the overall PUD with the ability to offer aging-in-place for seniors now living in other buildings on the site. It would include:

- A new 90-foot tall building on what is now a vacant, grassy area;
- 150,156 square feet of GFA
- A FAR of 3.44 as measured against the site's tax lot and 0.23 of additional FAR within the context of the overall PUD, bringing the PUD's total FAR to 1.48;
- 151 apartments designed and reserved for seniors with incomes of no more than 60% of the MFI;
- 9,600 square feet of supportive services on the ground floor for building residents, including medical and personal care, a fitness center and a library;
- A café/restaurant for residents with an adjacent terrace;
- 7,000 square feet on the ground floor for an adult daycare center for up to 60 people, primarily residents, but also possibly other neighborhood residents if space permits;
- Communal laundry facilities and a lounge on each of floors 2 – 9;
- 15 parking spaces, including 5 accessible spaces and access to 10 spaces in existing parking spaces in the PUD, which exceeds the number required for the overall PUD;
- 28 long-term bicycle spaces, of 51 required;
- Required loading;
- Compliance with Enterprise Green Communities sustainability standards – generally equivalent to LEED (v.4) Silver, including
  - 9,131 square feet of green roof
  - 750 square feet of solar panels;
- A pick-up / drop off area, porch and terrace on the south side of the building;
- A mechanical-only penthouse and a separate elevator overrun.

The project's FAR, height, parking, affordability and uses would be consistent with the specifications of Order 66-68 governing the PUD.

The proposed PUD would be approximately 0.23 FAR larger than the existing PUD, bringing the total FAR to 1.48 out of a greater than 2 FAR permitted by previous orders<sup>2</sup>. The 90-foot height would be the same as the maximum height permitted by previous orders. The all-affordable project would not decrease the number of low-income units below the Order-required 500. The overall PUD would continue to have more parking spaces than were required by the 1958 zoning regulations or the current regulations<sup>3</sup>. The square footage of supportive services and adult daycare space would not increase the overall PUD's non-residential square footage beyond what is now permitted.

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<sup>2</sup> Files from this 54 year-old case are incomplete and in some instances, inconsistent. Case records indicate that the maximum permitted FAR was either 2.08 or 2.22.

<sup>3</sup> The parking requirement from the original PUD is not known.

### **C. Proposed Benefits and Amenities**

The following are cited by the applicant and are noted in more detail in Section V.G of this report:

- Housing and Affordable Housing – 151 units at no more than 60% MFI;
- Uses of Special Value – Adult Day Care facility;
- Superior architecture and urban design.

### **D. Comprehensive Plan and Zoning**

- As discussed in more detail in Section III. the project is not inconsistent with:
  - The Generalized Future Land Use Map's (FLUM's) high-density residential category for the site;
  - The Generalized Policy Map's Neighborhood Conservation Area designation;
  - The Citywide Land Use, Housing, Environmental, Urban Design, and Community Services Elements; and
  - The Upper Northeast Area Element.
- The project is generally consistent with the purposes of the PUD process and with previous orders for the PUD.
- The project is consistent with the site's RA-4 zone, other than requested relief for bicycle parking and the number of people to be served by the adult daycare facility.

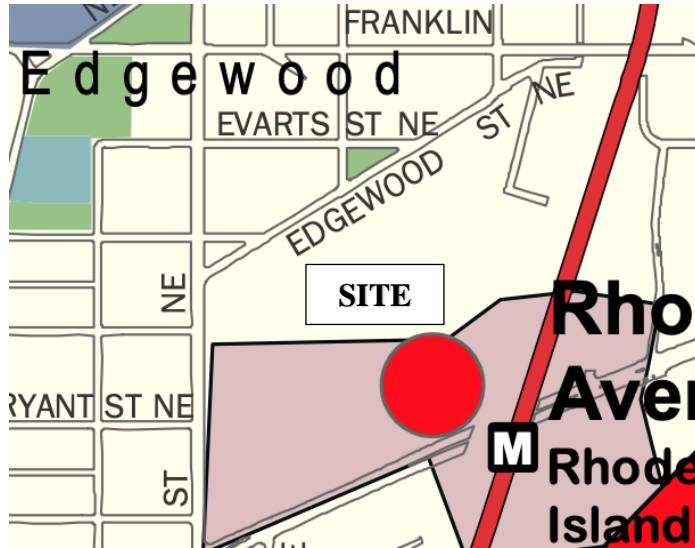
## **III. COMPREHENSIVE PLAN ANALYSIS**

### **I. COMPREHENSIVE PLAN AND OTHER PUBLIC POLICIES**

#### ***A. Comprehensive Plan Maps***

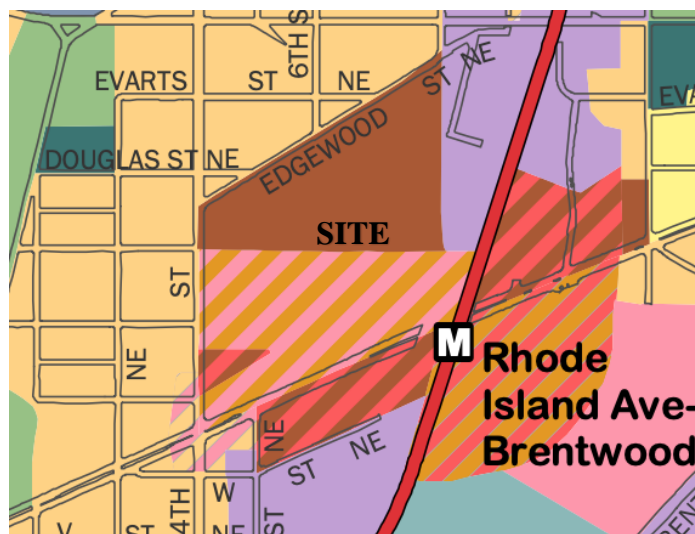
The Comprehensive Plan maps are intended to provide generalized guidance for development decisions. They are to be interpreted broadly and are not parcel-specific like zoning maps; i.e. the maps, in and of themselves, do not establish detailed requirements or permissions for a development's physical characteristics, uses or support systems such as parking and loading. They are to be interpreted in conjunction with relevant written goals, policies and action items in the Comprehensive Plan text.

Generalized Policy Map



The Generalized Policy Map designates the site and the area to the north as a neighborhood conservation area. In such areas, the pattern of development is considered acceptable and general continuity with the present character is considered appropriate. The proposed project would not be inconsistent with this. It would not alter the way the 12.9-acre PUD site has been used since 1976 nor, given the relatively low incidence of driving and car ownership in senior citizen facilities that include assisted living, would it be likely to significantly impact the adjacent neighborhood.

Figure 2. Comprehensive Plan Generalized Policy Map



Generalized Future Land Use Map

The Future Land Use Map (FLUM) indicates that the site is appropriate for high density residential uses. The project's 3.44 FAR measured against its theoretical lot area would be less dense than is typical for a high-density use. The height of the building would be not inconsistent with the land use category.

Figure 3. Comprehensive Plan Generalized Future Land Use Map. Location is in Brown

**B. Comprehensive Plan Written Elements**

The proposed project would be not inconsistent with written elements of the Comprehensive Plan. The Guiding Principles and the elements addressing Citywide Land Use, the Central Washington Area, Transportation, Housing, Environmental Protection, Economic Development and Urban Design all include policies and recommended actions with which the proposal is congruent.

## 1. The Framework Element: Guiding Principles

### Managing Growth and Change

Retaining a demographic mix is noted as being essential to the District's growth. The proposed project would be almost entirely residential, and all of the units would be reserved for households earning no more than 60% of the MFI, with some units being reserved for households earning no more than 50% and 30% of the MFI. This is exceptional for a new residential development within or on the edge of downtown.

Relevant Principles include:

*A city must be diverse to thrive, and the District cannot sustain itself by only attracting small, affluent households. To retain residents and attract a diverse population, the city should provide services that support families. A priority must be placed on sustaining and promoting safe neighborhoods offering health care, quality education, transportation, child care, parks, libraries, arts and cultural facilities, and housing for families. 217.2*

*Diversity also means maintaining and enhancing the District's mix of housing types. Housing should be developed for households of different sizes, including growing families as well as singles and couples. 217.3*

### Creating Successful Neighborhoods

The Guiding Principles emphasize that the production of new affordable housing is essential to achieving an inclusive city (§ 218.3) and that public input is critical to shaping how the housing and surrounding neighborhood is developed (§ 218.8). The applicant has consulted with ANC 6E multiple times about the all-affordable residential project before the PUD application was filed. The location just west of the Northwest One new community would likely provide future PUD residents with access to additional resources and services.

The relevant Principles include:

*The recent housing boom has triggered a crisis of affordability in the city, creating a hardship for many District residents and changing the character of neighborhoods. The preservation of existing affordable housing and the production of new affordable housing both are essential to avoid a deepening of racial and economic divides in the city. Affordable renter- and owner-occupied housing production and preservation is central to the idea of growing more inclusively. 218.3*

*Public input in decisions about land use and development is an essential part of creating successful neighborhoods, from development of the Comprehensive Plan to every facet of its implementation. 218.8*

## 2. The Citywide Land Use Element

The project would construct new housing for seniors close to the Rhode Island Metro station, as is encouraged by the following policy:

**Policy LU-1.3.3: Housing Around Metrorail Stations:** *Recognize the opportunity to build senior housing and more affordable “starter” housing for first-time homebuyers adjacent to Metrorail stations, given the reduced necessity of auto ownership (and related reduction in household expenses) in such locations. 306.12*

## 3. The Citywide Housing Element

The “overarching goal for housing” in the Comprehensive Plan is to:

*Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.501.1*

The proposed development would further this goal by providing 151 units of affordable housing for seniors on site convenient to transportation and a full range of neighborhood-serving uses.

More specifically the proposed modification would further the following policies and actions contained in the Housing Element:

**H-1.1 Expanding Housing Supply:** *Expanding the housing supply is a key part of the District’s vision to create successful neighborhoods. Along with improved transportation and shopping, better neighborhood schools and parks, preservation of historic resources, and improved design and identity, the production of housing is essential to the future of our neighborhoods. It is also a key to improving the city’s fiscal health. The District will work to facilitate housing construction and rehabilitation through its planning, building, and housing programs, recognizing and responding to the needs of all segments of the community. The first step toward meeting this goal is to ensure that an adequate supply of appropriately zoned land is available to meet expected housing needs. 503.1 The overarching goal for housing is: Develop and maintain a safe, decent, and affordable supply of housing for all current and future residents of the District of Columbia.503*

**Policy H-1.1.1: Private Sector Support:** *Encourage the private sector to provide new housing to meet the needs of present and future District residents at locations consistent with District land use policies and objectives. 503.2*

**Policy H-1.1.3: Balanced Growth:** *Strongly encourage the development of new housing on surplus, vacant and underutilized land in all parts of the city. Ensure that a sufficient supply of land is planned and zoned to enable the city to meet its long-term housing needs, including the need for low- and moderate-density single family homes as well as the need for higher-density housing. 503.4*

**Policy H-1.1.5: Housing Quality:** *Require the design of affordable housing to meet the same high-quality architectural standards required of market-rate housing. Regardless of its affordability level, new or renovated housing should be indistinguishable from market rate housing in its exterior appearance and should address the need for open space and recreational*

*amenities, and respect the design integrity of adjacent properties and the surrounding neighborhood. 503.6*

***Policy H-4.2.2: Housing Choice for Seniors:*** *Provide a wide variety of affordable housing choices for the District’s seniors, taking into account the income range and health-care needs of this populations. Recognize the coming growth in the senior population so that the production and rehabilitation of publicly-assisted senior housing that meets universal design standards becomes a major governmental priority. Acknowledge and support the establishment of Senior Villages throughout the city that allow seniors to remain in their homes and age in-place. 516.8*

***Policy H-4.2.3: Neighborhood-Based Senior Housing:*** *Encourage the production of multi-family senior housing in those neighborhoods characterized by large numbers of seniors living alone in single family homes. This will enable senior residents to remain in their neighborhoods and reduce their home insurance costs and obligations. 516.9*

The proposed design is similar to, and would be of the same quality as, many market rate residential projects being constructed in the District. With the on-site supportive services, it would allow current Edgewood Commons residents to age in place.

#### **4. The Citywide Environmental Protection Element**

The applicant is proposing a development with a design, construction and operation that is intended to be certified under the Enterprise Green Communities standards and would use several sustainable features to meet the requirements of the District’s Green Buildings Act. These proposals will need to be presented in more detail prior to a hearing. The project would also emphasize the use of public transit over private automobiles. The environmental policies the PUD would further include:

***Policy E-1.1.3: Landscaping:*** *Encourage the use of landscaping to beautify the city, enhance streets and public spaces, reduce stormwater runoff, and create a stronger sense of character and identity. 603.6*

***Policy E-1.3.1: Preventing Erosion:*** *Ensure that public and private construction activities do not result in soil erosion or the creation of unstable soil conditions. Support the use of retaining walls and other “best management practices” that reduce erosion hazards. Erosion requirements should be implemented through building permit and plan reviews, and enforced through the permitting and regulatory processes. 605.2*

***Policy E-2.2.5: Energy Efficient Building and Site Planning:*** *Include provisions for energy efficiency and for the use of alternative energy sources in the District’s planning, zoning, and building standards. The planning and design of new development should contribute to energy efficiency goals. 610.7*

***Policy E-3.1.2: Using Landscaping and Green Roofs to Reduce Runoff:*** *Promote an increase in tree planting and landscaping to reduce stormwater runoff, including the expanded use of green roofs in new construction and adaptive reuse, and the application of tree and landscaping standards for parking lots and other large paved surfaces. 613.3*



The project would have a green roof and solar panels, would add no surface parking and include an adult day care and other on-site services for building residents. This would further the following Comprehensive Plan policies:

**Policy E-3.2.1: Support for Green Building:** Encourage the use of green building methods in new construction and rehabilitation projects, and develop green building methods for operation and maintenance activities. 614.2

### 5. Upper Northeast Area Element

The project would develop an existing grassy open space within the PUD consistent with:

**Policy UNE-1.1.2: Compatible Infill:** Encourage compatible residential infill development throughout Upper Northeast neighborhoods, especially in Brentwood, Ivy City, and Trinidad, where numerous scattered vacant residentially-zoned properties exist. Such development should be consistent with the designations on the Future Land Use Map. New and rehabilitated housing in these areas should meet the needs of a diverse community that includes renters and owners; seniors, young adults, and families; and persons of low and very low income as well as those of moderate and higher incomes. 2408.3

## IV. ZONING ANALYSIS

The proposed building is analyzed in the context of both the irregularly-shaped tax lot 812 on which it would be constructed and the record lots of the approved PUD. Figures are based on the information provided by the applicant. Some data is not available due the absence of some records for the 55-year old PUD.

	PUD Order for 650,923 SF site	As-Built PUD	Proposed: new Building on 43,774 SF tax lot 812	Proposed: new building relative to full PUD site	RA-4 PUD w/IZ Permission / Requirement	Relief
<b>FAR</b>	~ 2.08	1.25	0.23	1.48	4.2	none
<b>Lot Occ. %</b>	~29%	23.28%	41%	25.79%	75%	none
<b>Height</b>	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	none
<b>Parking</b> (eligible for 50% transit reduction)	unknown	554	5 residential 2 adult daycare	n/a	13 res. on site. 2 adult daycare	None. 5 on-site; 10 off-site from PUD surplus

	<b>PUD Order for 650,923 SF site</b>	<b>As-Built PUD</b>	<b>Proposed: new Building on 43,774 SF tax lot 812</b>	<b>Proposed: new building relative to full PUD site</b>	<b>RA-4 PUD w/IZ Permission / Requirement</b>	<b>Relief</b>
<i>Bicycle Pkg.</i>	none	none	<i>28 long-term total</i> 10 short-term	<i>n/a</i>	<i>50 long-term res.; 1 long-term ADC.</i> 8 short-term res. 1 short-term ADC. <b><u>60 total</u></b>	<i>Yes. From 25 long-term</i>
<b>Loading</b>	unknown	Not provided	None	1 berth, 1 delivery space on record lot	1 berth @12'x30'; 1 platform; 1 delivery space	<i>Not clear where loading facilities are proposed</i>
<b>Rear Yd.</b>	unknown	n/a	Varies. 18'3" to 42'6" shown on Sheet 11A, which labels south side of building as the rear yard	48.67 ft	30'	none
<b>Side Yard</b>	unknown	n/a	3'9" to record lot line on east and 26'3" to tax lot line on west shown on Sheet 11A	154 ft. shown in zoning table and 189'8" and 26'3" shown on Sheet 11A	If provided, 4"/ft. of height (30')	None requested
<b>Court</b>	unknown	n/a	None indicated	None indicated	---	None requested
<b>Roof Structures</b>	unknown	n/a	20 ft. height; 1:1 setback; 650 SF mechanical	n/a	20' 1:1 setback	none
<b>GAR</b>	n/a	n/a	0.3	n/a	0.3	None
<b>Use</b>	Residential, adult daycare (ADC)			<b>60</b>	<b>25</b>	<b>yes</b>

With respect to the 15-space vehicular parking requirement, 5 spaces would be located on-site and 10 would be located elsewhere within existing PUD parking areas. (Sheet 44). The applicant states that the Zoning Administrator has indicated existing vehicular parking within the overall PUD that is in excess of that required by the PUD Order or by Matter of Right regulations may be used to satisfy a portion of the proposed project's parking requirement that would not be met on-site.

With respect to bicycle parking relief, the applicant posits that relief from 25 of the required 51 long-term spaces is appropriate because the building would be reserved for senior citizens, who, the applicant states, do not have as high an incidence of bicycle use as the general population.

The applicant also requests relief to provide an in-building adult day care facility serving up to 60 people, rather than the 25-maximum permitted as a matter of right. The applicant states that given its location in an all-senior building, the increased occupancy would not likely have a significant impact on traffic or circulation in the neighborhood because most users would live in the building, or elsewhere on the PUD site. Attendance by residents of the adjacent neighborhood would be permitted only if residents of the proposed building or the existing PUD do not use all 60 spaces.

## **V. COMPLIANCE WITH PUD REGULATIONS**

### **A. Overview**

As noted, the application is not inconsistent with the Comprehensive Plan and meets minimum area requirements for a PUD. A modification of significance to previous PUD orders is the most appropriate vehicle for furthering Comprehensive Plan policies relevant to the site.

### **B. Zoning Relief / Flexibility Under PUD Guidelines**

The modification to the PUD would appear to meet all zoning regulations other than long-term bicycle parking requirements, and the upper limit on the attendance permitted at an adult day care center.

### **C. Transportation, Parking and Loading**

The proposed building would be accessed from the same 4<sup>th</sup> Street and Edgewood Street curb cuts and the same internal circulation roads as have been provided by the PUD for the past 54 years. Parking requirements are reduced by 50% due to the site's proximity to the Rhode Island Avenue metro station. Proposed parking locations are discussed above in Section IV of this report.

The loading requirements would be met. The loading area would be located 40 to 50 feet from the building's rear entrance and approximately 14 feet below that entrance. (Sheet 43). OP encourages the applicant to discuss this proposed configuration with the District Department of Transportation (DDOT).

The applicant has begun conversations with DDOT to determine the appropriate scope for the comprehensive transportation review and the analysis that will lead to a determination of needed mitigation measures and the production of a Transportation Demand Management plan.

OP has also asked the applicant to clarify responsibilities for the construction of the two future path(s) to and from Metro through adjacent parcel shown on Sheet 9. Without them the walking distance between the proposed building and the Metro would be farther.

#### **D. Environment**

The building has been designed to the Enterprise Green Communities standards, which is the typical standard for an affordable housing project. The applicant states that that standard currently approximates the level of LEED Silver v.4.

OP has encouraged the applicant to expand the quantity of solar panels, which could extend over the green roof. Prior to the hearing the applicant will also need to provide the calculations that led to the projected GAR score.

In conversations with OP, District Department of Energy and Environment (DOEE) staff have indicated that if the project is set down, they will have conversations with the applicant about the following, some of which would not need resolution until a building permit is filed:

- Ensuring that the Enterprise Green Communities 2020 scoreboard is being used;
- Ensuring compliance with the soon-to-be-adopted 2017 DC construction code (needed prior to building permit);
- Specifying how the 2018 Clean Energy DC Omnibus Act standards would be met.;
- Providing unit metering that could make residents eligible for Solar For All community subscriptions;
- Considering making the building all-electric to help meet the goals of the Sustainable DC and Clean Energy DC plans.

#### **E. Architecture and Urban Design**

The urban design incorporates the new building into the existing development in a way that does not disrupt existing pedestrian paths, parking or landscaping. The landscaping addresses environmental considerations on a significantly sloping site.

The architecture is consistent with the colors, materials and aesthetic of the existing buildings in the PUD. The design avoids identifying the building as an affordable project and is superior to the design of many other affordable housing projects. The south-facing terraces and front porch provide space for all residents to congregate, enjoy the outdoors, greet visitors, or find a quiet space.

There are, however, a few areas in which OP strongly encourages the applicant to consider design enhancements that could significantly improve the quality of life for the senior residents:

- More resident access to outdoors. The project would contain no balconies or any outdoor spaces other than on the first floor. To provide additional, convenient outdoor space for residents, the applicant should explore:
  - Providing balconies for individual units; and/or
  - Supplementing each of the communal laundry facilities and adjacent south-facing lounges on floors 2 – 9 with balconies or other outdoor areas. This could also help to foster more interaction among the residents on each floor.

The desirability of having access to outdoor spaces has been made particularly evident during the current health emergency. While the design does provide for outdoor spaces on the ground floor, linking such spaces to individual units or to each building floor could help promote resident health.

- Laundry Facilities: OP encourages the applicant to locate washers and dryers in each unit, rather than providing communal facilities for each floor.
  - As OP understands it, the proposed building is intended for age-restricted independent living, not for assisted living or nursing. For the latter, where residents may not be capable of doing their own laundry, it may be appropriate to have communal laundry facilities. For this independent-living building, where the applicant is stressing the ability to provide for aging in place, not having laundry facilities within units may create physical and psychological barriers to residents viewing the building as being selective only by age, rather than one restricted by both age and ability.

The following comments relate more to the exterior appearance of the proposed building:

- Design of lowest levels of western façade: Due to grade changes the exterior west-facing basement walls are above ground. They are blank and appear to be visible at the 4<sup>th</sup> Street entrance to the overall PUD. (See architectural drawings, Sheet 25). The applicant should consider design treatments and landscaping that would enhance the views of the proposed building at this vehicular entry point;
- Enhanced Landscaping adjacent to private road: Consider adding a 4-foot wide planting street and street trees along the entire length of the north side of the private road between 4<sup>th</sup> Street and the existing parking garage;
- Entrances: Better define and articulate important building entrances, particularly the main building entrance on the south side of the building;

## **F. Housing Linkage and Affordable Housing**

The building does not include space that would trigger housing linkage compliance. As the building would be funded through federal and District programs it would not have an Inclusionary Zoning requirement until the expiration of the funding program's affordability requirements. However, in anticipation of that, by the hearing the applicant should provide information about the amount of IZ space that would be required at that time and the location of such units.

## **G. PUD Benefits, Amenities and Proffers**

The PUD's major public benefit would be the production of affordable housing for senior residents of the District. There would be 151 apartments at no more than 60% MFI, with lower MFI levels possible, depending on requirements of funding sources. This compares with approximately 15 units at no more than 60% MFI for a Matter of Right project.

The integration of a substantial adult day care center and other services with an affordable senior housing building could also be considered a public benefit.

The proposed project is not asking for a map amendment. Although adding an eighth building to a PUD for which seven buildings were approved, the cumulative square footage, height, lot occupancy, number of units and parking spaces would still be within the limits, minimums and other requirements established by the initial PUD Order.

## **H. Mitigation of Potentially Adverse Impacts**

The applicant and DDOT will continue to work on identifying potentially adverse impacts and determining appropriate mitigation measures. If set down, a Transportation Demand Management Plan would be submitted.

With regards to shadowing, the proposed building would be 41'8" to 109'2" from the lower buildings, so closer than other 90-foot high buildings on the PUD site. As such, there would be some shadowing of the buildings to the north. However, due to the location of the existing access road, it would be difficult to relocate the proposed building to reduce shadowing, and reducing the height of the building would likely result in the loss of some of the 151 proposed new affordable senior units. The applicant is encouraged to examine this issue more carefully, as there may be an opportunity for minor massaging of the massing to reduce shadow impacts.

## **VI. SUMMARY OF CONCERNS AND INFORMATION NEEDED**

If the application is set down, the following clarifications and additional information should be provided prior to the public hearing.

- Consideration of the laundry and balcony concerns raised in Section V.E of this report
- Consider and respond to other design comments in Section V.E;

- Submit a TDM plan;
- Provide final draft of projected GAR score;
- Clarify which iteration of the Enterprise Green Communities scoreboard is being used;
- Provide information about amount and location of IZ units required after expiration of funding program-related affordable housing commitments;
- Clarify responsibility for construction of two connections to Metro through adjacent property;
- Commit to no reduction in the number of affordable housing units in the existing PUD after construction of new units in the proposed building;
- Clarify intended participation in CBE, First Source or similar programs;
- Provide materials samples.

JLS/sic