

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF VIRTUAL PUBLIC HEARING**

TIME AND PLACE: **Monday, November 9, 2020, @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on the
OZ website by Noon of the Hearing Date¹**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 66-68A (Enterprise Community Development, Inc. – Modification of Significance for the Large Scale Planned Development for Edgewood Commons)

THIS CASE IS OF INTEREST TO ANC 5E

Enterprise Community Development, Inc. (the “Applicant”) filed an application (the “Application”) on April 24, 2020, pursuant to the Zoning Regulations (Title 11 of the District of Columbia Municipal Regulations, Zoning Regulations of 2016, to which all references are made unless otherwise specified) requesting that the Zoning Commission for the District of Columbia (the “Commission”) approve a Modification of Significance to Z.C. Order No. 66-68, as modified by BZA Order Nos. 10355 and 11459, (collectively, the “Original Order”) that approved a Large Scale Planned Development (the “Approved LSPD”), with a related Zoning Map amendment to the R-5-C Zone District (now the RA-4 zone) for Lots 2, 5, 803, 805, 807, & 810 – 813 in Square 3630 (the “Property”).

The Property

The Property is a triangular parcel on the south side of Edgewood Street NE between 4th and 7th Streets, N.E. with a land area of approximately 650,383 square feet (14.9 acres) and known as Edgewood Commons. The Property is located in Ward 5, within the Edgewood Neighborhood.

The Comprehensive Plan designates the Property as:

- Neighborhood Conservation Area on the Generalized Policy Map;
- High Density Residential category on the Future Land Use Map; and
- Subject to the Upper Northwest Area Element.

Prior Approval – The Approved LSPD

The Approved LSPD authorized multiple buildings consisting of

- 1,257,690 sf of gross floor area (“GFA”), with a 1.93 floor area ratio (“FAR”);
- Lot occupancy of 25.45%;
- A total of 1153 residential units, of which at least 500 units dedicated for low-income residents;
- Up to 35,000 square feet of community service facilities, with 24,533 sf of commercial/community space in Section 1, including 4,000 square feet of daycare; and
- 554 parking spaces.

The Applicant constructed the Approved LSPD in 1976 to include seven buildings with:

- Approximately 814, 932 square feet of GFA with a FAR of 1.25;

¹ Anyone who wishes to participate in this case but cannot do so via WebEx or telephone may submit written comments to the record (see p. 3, *How to participate as a witness – written statements*).

- Lot occupancy of 23.28%;
- 792 residential units, all of which are affordable, with:
 - 200 restricted to seniors at less than 50% of the Median Family Income; and
 - 592 restricted to households with incomes restricted by LITEC or Project-Based Rental Assistance programs; and
- 423 parking spaces.

The Application

The Application proposed to construct a 90-foot tall building on the Property (the “Building”) on Lot 812 (the “Building Site”) with:

- Approximately 150,156 square feet of GFA with a FAR of 3.44 for the Building Site;
- A lot occupancy of 41% for the Building Site;
- 151 all-affordable age-restricted apartment units for seniors;
- An approximately 7,000 square foot adult daycare center on the ground floor with a capacity for 60 seniors; and
- Environmental features that satisfy Enterprise Green Communities standards, roughly equivalent to the LEED v.4 Silver standard, as well as:
 - Green roof features; and
 - 3,000 square feet of rooftop solar panels.

The Application requests flexibility from the specifics shown on the plans, including 10% +/- in the number of residential units and parking spaces, exterior materials and details, and layout of the interior, garage, and roof, provided that no additional relief is required and the green roof and solar panels are not reduced.

With the Building, the resulting development on the Property will contain:

- Eight buildings providing 943 residential units;
- Approximately 965,088 square feet of GFA, with a total FAR of 1.48; and
- Lot occupancy of 26%.

The Application requested flexibility for two special exceptions:

- To reduce the required 51 full long-term bicycle parking spaces to 28 (Subtitle C § 802.1); and
- To allow more than 25 individuals at the adult daycare center (Subtitle U § 203.1).

Responses to the Application

The Office of Planning filed a June 19, 2020, report (the “OP Report”) that:

- Concluded that the Application appeared to comply with the development parameters of Approved LSPD in terms of height, FAR, parking, affordability and uses, and was also not inconsistent with the Comprehensive Plan; and
- Supported the Application’s requested flexibility from the daytime care and bicycle parking requirements.

At its June 29, 2020, public meeting, the Commission voted to set down the Application for a public hearing.

The Applicant provided its prehearing statement with updated plans (Ex. 14) on September 2, 2020.

This public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, Subtitle Z, Chapter 4, which includes the text provided in the Notice of Emergency and Proposed Rulemaking adopted by the Zoning Commission on July 30, 2020, in Z.C. Case No. 20-11.

How to participate as a witness – oral presentation

Interested persons or representatives of organizations may be heard at the virtual public hearing. All individuals, organizations, or associations wishing to testify in this case are **strongly encouraged to sign up to testify at least 24 hours prior to the start of the hearing** on OZ’s website at or by calling Donna Hanousek at (202) 727-0789 in order to ensure the success of the new virtual public hearing procedures.

The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The Commission must base its decision on the record before them. Therefore, it is **highly recommended that all written comments and/or testimony be submitted to the record at least 24 hours prior to the start of the hearing**. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

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|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

How to participate as a witness – written statements

Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by e-mail to zcsubmissions@dc.gov. Please include the case number on your submission. If you are unable to use either of these means of submission, please contact Donna Hanousek at (202) 727-0789 for further assistance.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact OZ at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from OZ’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>. This form may also be obtained from OZ at the address stated below.

“Great weight” to written report of ANC

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, an ANC that wishes to participate in the hearing must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, PETER A. SHAPIRO, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

Do you need assistance to participate? If you need special accommodations or need language assistance services (translation or interpretation), please contact Zee Hill at (202) 727-0312 or Zelalem.Hill@dc.gov five days in advance of the meeting. These services will be provided free of charge.

¿Necesita ayuda para participar? Si tiene necesidades especiales o si necesita servicios de ayuda en su idioma (de traducción o interpretación), por favor comuníquese con Zee Hill llamando al (202) 727-0312 o escribiendo a Zelalem.Hill@dc.gov cinco días antes de la sesión. Estos servicios serán proporcionados sin costo alguno.

Avez-vous besoin d’assistance pour pouvoir participer? Si vous avez besoin d’aménagements spéciaux ou d’une aide linguistique (traduction ou interprétation), veuillez contacter Zee Hill au (202) 727-0312 ou à Zelalem.Hill@dc.gov cinq jours avant la réunion. Ces services vous seront fournis gratuitement.

참여하시는데 도움이 필요하세요? 특별한 편의를 제공해 드려야 하거나, 언어 지원 서비스(번역 또는 통역)가 필요하시면, 회의 5일 전에 Zee Hill 씨께 (202) 727-0312 로 전화 하시거나 Zelalem.Hill@dc.gov 로 이메일을 주시기 바랍니다. 이와 같은 서비스는 무료로 제공됩니다.

您需要有人帮助参加活动吗?如果您需要特殊便利设施或语言协助服务(翻译或口译)·请在见面之前提前五天与 Zee Hill 联系·电话号码 (202) 727-0312, 电子邮件 Zelalem.Hill@dc.gov 这些是免费提供的服务。

Qui vì có cần trợ giúp gì để tham gia không? Nếu quý vị cần thu xếp đặc biệt hoặc trợ giúp về ngôn ngữ (biên dịch hoặc thông dịch) xin vui lòng liên hệ với Zee Hill tại (202) 727-0312 hoặc Zelalem.Hill@dc.gov trước năm ngày. Các dịch vụ này hoàn toàn miễn phí.

ለሚሰጡት ዕድል ታያልህ? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጎም) ካስፈለገዎት እባክዎን ከስብሰባው አምስት ቀናት በፊት ዚ ሂልን በስልክ ቁጥር (202) 727-0312 ወይም በኢሜል Zelalem.Hill@dc.gov ይገናኙ። እንኝህ አገልግሎቶች የሚሰጡት በነጻ ነው።