



TO: District of Columbia Zoning Commission

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

DATE: October 30, 2020

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

I. OFFICE OF PLANNING FINAL RECOMMENDATION

The Office of Planning (OP) **recommends the Zoning Commission (the Commission) approve** the application, as amended through October 28, 2020 by Enterprise Community Development, Inc. [Exhibits 24 – 25B] for a major modification to the existing planned unit development (PUD), with the following relief:

- from Subtitle C § 802.1’s long-term bicycle parking requirement;
- from Subtitle U § 401.1 (f)’s limitation on the maximum number of users permitted by an adult day treatment facility;
- from Subtitle C § 901.1’s requirement to provide a loading zone rather than a loading berth;
- from Subtitle C § 901.4’s requirement to provide a loading platform adjacent to the loading berth;
- from Subtitle C § 901.10’s requirement that loading berth be used only for loading; and
- from Subtitle C § 908.1’s screening requirements for loading spaces outside of a building.

The last four relief requests were filed to accommodate loading and design changes requested after setdown by OP and the District Department of Transportation (DDOT) as described in Section IV of this report.

This recommendation is contingent on the implementation of the Transportation Demand Management measures in Exhibit 18A and the Loading Management measures in Exhibit 25B.

The proposal is not inconsistent with the Comprehensive Plan and would not be inconsistent with the intent of the original PUD.



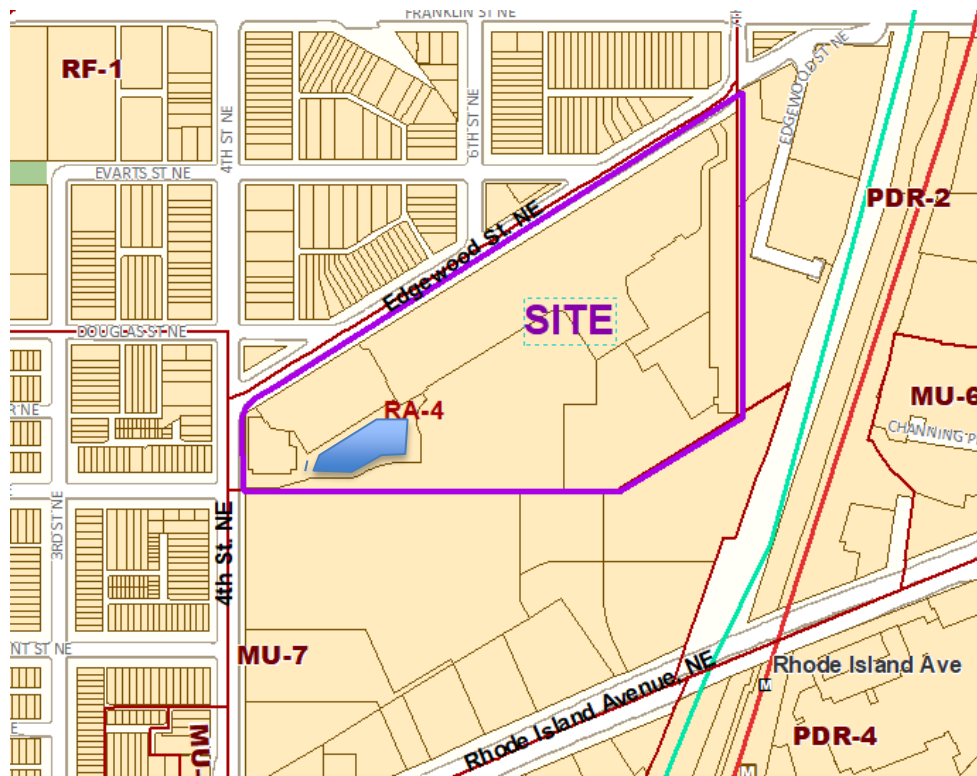


Figure 1. Location and Zoning, with Proposed Building Location in Blue

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 4th 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-feet 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 for senior independent living on a 43,774 square foot tax lot within the overall PUD approved in Order 66–68, which as summarized in OP's Preliminary Report (Exhibit 11). As summarized in that report, the building proposed in this case would not exceed the parameters of the original PUD.

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. The project is essentially the same as what was described and analyzed in OP's Preliminary Report. As of the plans submitted through October 20, 2020 (Exhibits 25A1 – 25A8) it would include the following, with changes since setdown shown with changed items ~~struck through~~ and revisions or additions underlined:

- 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 full PUD's site total FAR to 1.48;
- 151 apartments designed and reserved for seniors with incomes of no more than 60% of the MFI;
- A set-aside of 25% of the residential floor area for IZ units for an unspecified period after the initial 30-40-year financing period expires;
- 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;
- Communal balconies at the western end of floors 2 – 9, and communal terraces on the third and ninth floors, adjacent to the communal lounges;
- 7,000 square feet on the ground floor for an adult day treatment facility for up to 60 people, primarily residents, but also possibly other neighborhood residents if space permits;
- Communal laundry facilities adjacent to, but screened from, a lounge on each of floors 2 – 9 (Exhibit 23A3, Sheets 17-19);
- 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;
- Provision of loading ~~as required~~ from a dedicated loading space on a private street adjacent to a loading room underneath the dining terrace;
- Compliance with Enterprise Green Communities 2020 sustainability standards – generally equivalent to LEED (v.4) Silver, including
 - 9,131 square feet of green roof, and
 - ~~750~~ 1,868 square feet of solar panels for a system size of 38.16 kW (Exhibit 23 A3, Sheet 20);
- 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;
- Two striped pedestrian crossings and, along a private drive from which parking is accessed, a clearly delineated pedestrian path leading to a pedestrian bridge to Metro (Exhibits 23A1 and 23A2).

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 orders¹. 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 previously-required 500 for the entire PUD. The overall PUD would continue to have more parking spaces than were

¹ 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.

required by the 1958 zoning regulations or the current regulations². The square footage of supportive services and adult day treatment facilities would not increase the overall PUD's non-residential square footage beyond what is now permitted.

C. Proposed Benefits and Amenities

The following are the principal benefits cited by the applicant and are noted in more detail, along with other benefits in Section V.G of this report:

- Housing and Affordable Housing – 151 units at no more than 60% MFI with 25% of residential square footage being reserved for IZ units after initial financing control period;
- Uses of Special Value – Adult Day Treatment facility (a.k.a. adult daycare);
- Superior architecture and urban design;
- Enhanced Sustainability.

D. Comprehensive Plan and Zoning

- As was discussed in Section III of OP's preliminary report. 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, the number of people to be served by the adult day treatment facility and the loading configuration.

² The parking requirement from the original PUD is not known.

III. APPLICANT RESPONSES TO ZONING COMMISSION OR, OP COMMENTS, AND ADDITIONAL INFORMATION NEEDED

1. TABLE 1: Applicant Response to Previous Concerns

Concern	Response	OP Comment																																																																		
Consider putting washers/dryers in each unit	Applicant declines, but has redesigned lounge area so that laundry area is separated from lounge with opaque panels. (Exhibit 23A3, Sheets 17-19).	OP continues to favor the provision of washer/dryers in each unit, but acknowledges that of the 14 publicly-assisted and 11 market-rate senior independent living facilities it surveyed in Washington, DC and nearby suburbs, 4 have laundry facilities in individual units.																																																																		
Consider adding balconies to individual units	Applicant has added balconies at the western end of each residential corridor and terraces adjacent to lounges on the third and ninth floors. (Exhibit 23A3, Sheets 17-19 and Exhibit 14B2, Sheet 20A).	This as an acceptable compromise and notes that additional outdoor space will be provided by reconfiguring the loading area to enable provision of a terrace adjacent to the dining area.																																																																		
Provide information on post-financing IZ unit location and amount	Locations provided. 25% of units to be IZ units after expiration of financing control period. (Exhibit 23A3, Sheets 17-19 and Exhibit 14B2, Sheet 20B).	Acceptable																																																																		
Commit to no reduction in existing PUD's affordable housing	Commitment made.	Acceptable																																																																		
Provide a Unit-Type Distribution Plan	<table border="1" data-bbox="578 1304 1045 1472"> <thead> <tr> <th colspan="9">IZ Unit Mix</th> </tr> <tr> <th rowspan="2">Unit Type</th> <th colspan="2">Total Units</th> <th colspan="2">Non-IZ Units</th> <th colspan="4">IZ Units</th> </tr> <tr> <th></th> <th></th> <th></th> <th></th> <th></th> <th>GFA/Unit</th> <th>Total GFA</th> <th></th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>10</td> <td>6.62%</td> <td>6</td> <td>6.74%</td> <td>4</td> <td>6.45%</td> <td>443</td> <td>1,772</td> <td>sf</td> </tr> <tr> <td>1BR</td> <td>136</td> <td>90.07%</td> <td>81</td> <td>91.01%</td> <td>55</td> <td>88.71%</td> <td>572</td> <td>31,460</td> <td>sf</td> </tr> <tr> <td>2BR</td> <td>5</td> <td>3.31%</td> <td>2</td> <td>2.25%</td> <td>3</td> <td>4.84%</td> <td>998</td> <td>2,994</td> <td>sf</td> </tr> <tr> <td>Total</td> <td>151</td> <td></td> <td>89</td> <td></td> <td>62</td> <td></td> <td></td> <td>36,226</td> <td>sf</td> </tr> </tbody> </table>	IZ Unit Mix									Unit Type	Total Units		Non-IZ Units		IZ Units									GFA/Unit	Total GFA		Studio	10	6.62%	6	6.74%	4	6.45%	443	1,772	sf	1BR	136	90.07%	81	91.01%	55	88.71%	572	31,460	sf	2BR	5	3.31%	2	2.25%	3	4.84%	998	2,994	sf	Total	151		89		62			36,226	sf	Acceptable.
IZ Unit Mix																																																																				
Unit Type	Total Units		Non-IZ Units		IZ Units																																																															
						GFA/Unit	Total GFA																																																													
Studio	10	6.62%	6	6.74%	4	6.45%	443	1,772	sf																																																											
1BR	136	90.07%	81	91.01%	55	88.71%	572	31,460	sf																																																											
2BR	5	3.31%	2	2.25%	3	4.84%	998	2,994	sf																																																											
Total	151		89		62			36,226	sf																																																											
Submit a TDM Plan	Submitted (Exhibits 18 and 18A).	See separate DDOT report																																																																		
Reconsider loading plan	Statement with pre-hearing plans relocated loading internal to building but eliminated deck adjacent to dining room to accommodate truck height. Applicant now working to respond to OP and DDOT concerns to revise loading and retain deck.	OP and DDOT favor using curbside loading on private street adjacent to reduced-height loading storage area in order to enable retention of dining terrace. Applicant intends to submit plans showing this prior to the hearing.																																																																		

Concern	Response	OP Comment
Clarify participation in CBE, First Source or similar programs	DCHFAs and DHCD will require compliance with First Source hiring and sub-contracting at least 35% of adjusted budget to CBE	Acceptable
Provide final draft of GAR score	0.3. See Exhibit 14B4, Sheet 9	Acceptable, but DOEE encourages higher
Clarify iteration of Enterprise Green Communities	Using Enterprise Green Communities 2020	Acceptable to OP and DOEE
Increase amount of solar panels	Square footage increased from 750 sq.ft. to 1,868 sq.ft. (Exhibit 14B4 Sheets 20, 51)	Acceptable to OP and DOEE
Clarify responsibility for construction of connections to Metro through south-adjacent property	Developer of south-adjacent property has committed to providing two staircases or ramps, and applicant has committed to providing two cross-walks and striped pedestrian path	Acceptable to OP and DDOT
Better define important building entrances	Main entrance emphasized with distinctive brick, sun-shading and two-story massing (Exhibit 25A3, Sheets 26, 28A and 28B)	Acceptable
Enhance design of western façade, especially at lower levels.	Changes have been made to lower-level massing, fenestration and colors and more green plantings have been added. (Exhibit 14B1, Sheets 1, 30-32, Exhibit 14B3, Sheet 3).	Acceptable
Enhance landscaping adjacent to private road south of building with plantings and tree boxes	There will be greenery in bio-retention areas adjacent to building, and in entrance circle (Exhibit 14B2, Sheet 14), but sidewalk is too narrow to allow for plantings or street trees	OP encourages the applicant to continue to explore ways to green and soften the pedestrian-level environment on the south-facing side of the building.
Provide materials samples	Renderings provided in Exhibits 25A63 – 25A9	Acceptable

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.

Table 2. Zoning Analysis	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
FAR	~ 2.08	1.25	0.23	1.48	4.2	none
Lot Occ. %	~29%	23.28%	41%	25.98%	75%	none
Height	90 ft.	90 ft.	90 ft.	90 ft.	90 ft.	none
Parking (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
Bicycle Pkg.	none	none	28 long-term total 10 short-term	<i>n/a</i>	50 long-term res.; 1 long-term ADC. 8 short-term res. 1 short-term ADC. 60 total	Yes. Relief Requested from 25 long- term spaces
Loading	<i>unknown</i>	<i>Not provided</i>	<i>None</i>	<u>Dedicated loading zone on adjacent private street. (Filing Pending) 1 berth, 1 delivery space on record lot</u>	<u>Dedicated loading zone on adjacent private street. Filing Pending) 1 berth @12'x30'; 1 platform; 1 delivery space</u>	Yes. Relief to be requested
Rear Yd.	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
Side Yard	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
Court	unknown	n/a	None indicated	None indicated	---	None requested

Table 2. Zoning Analysis	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
Roof Structures	unknown	n/a	20 ft. height; 1:1 setback; 650 SF mechanical	n/a	20' 1:1 setback	none
GAR	n/a	n/a	0.3	n/a	0.3	None
<i>Use</i>	<i>Residential, adult day treatment / daycare (ADC)</i>			60	25	Yes. Increase of 35.

Relief Requests

The applicant has requested the following relief, to which OP has no objection:

Vehicle Parking: Of the 15 required vehicular spaces, 5 would be located on-site and 10 would be located elsewhere within existing PUD parking areas. 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.

Long-Term Bicycle Parking: 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.

Number of Adults Served at Adult Day Treatment / Daycare Facility: The applicant requests relief to provide an in-building adult day treatment / daycare 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.

Loading Relief: The applicant has responded to post-setdown concerns expressed by OP and DDOT. Originally, the applicant had proposed to provide a loading area in a parking lot that was next to, but not part of, the proposed building’s site. This location was 14 feet downhill and 40 to 50 feet from what was then to be a rear entrance into a storage area. OP’s preliminary report expressed concern about how well this would function. After setdown the applicant proposed providing loading within the building, but this would have required raising the height

of the area adjacent to the proposed dining hall, which would have eliminated the possibility of providing a terrace for the dining facility. OP, DDOT and the applicant have agreed that it would be better to provide a storage area inside the building that would be adjacent to and at the same elevation as a loading zone on a private street. The reduction in the height shown in Exhibit 23 would enable retention of the dining terrace. However, providing loading from a loading zone and reducing the height of the loading area would require the following loading relief:

- from Subtitle C § 901.1's requirement to provide a loading zone rather than a loading berth (This would be a loading zone rather than an actual loading berth);
- from Subtitle C § 901.4's requirement to provide a loading platform adjacent to the loading berth, which would not exist;
- from Subtitle C § 901.10's requirement that loading berth be used only for loading, since the loading area would also be part of a drive aisle; and
- from Subtitle C § 908.1s' screening requirements for loading spaces outside of a building, since the space would be part of a private roadway and would be unable to be screened.

Flexibility Requests

The applicant has submitted the typical requests for flexibility (Exhibit 14, page 5) to make changes to various interior components, exterior materials and colors, and minor changes to exterior details; to vary the number of units or parking spaces by +/- 10% , to reconfigure garage layout and to vary the configuration of solar panels and green roof areas provided their square footage is not reduced from the plans approved by the Zoning Commission. OP does not object to these requests.

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, the upper limit on the attendance permitted at an adult day care center, and loading relief related to providing a loading area adjacent to a private street.

C. Transportation, Parking and Loading

The proposed building would be accessed from the same 4th 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 in Section IV of this report.

As discussed above, loading would be provided from a loading zone on the edge of the private street that gives access to the PUD from 4th Street, N.E. Deliveries would be made through an internal loading room adjacent to the loading zone. Trash would be stored in the same area.

DDOT will be filing a separate report that will note any agreed-upon Transportation Demand Management measures.

D. Environment

The building has been designed to the Enterprise Green Communities 2020 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. The project would contain approximately 10,600 square feet of green roof and 1868 square feet of solar panels (Exhibit 14B4, Sheet 54A).

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, although it does not provide for extensive plantings and shade adjacent to pedestrian paths.

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.

The applicant has made several changes since setdown that are described elsewhere in this report that would increase resident access to the outdoors, improve the appearance of the building's western end, and enhance the presence of important building entrances. Unfortunately, the applicant has not been able to find space where additional plantings could be accommodated along pedestrian areas on the south side of the building leading to 4th Street, N.E. or to the Rhode Island Avenue metro. The applicant has also chosen to follow what seems to be the senior independent living norm of not providing individual washers and dryers in each apartment unit.

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, the applicant has agreed to allocate 25% of the building's residential square footage for IZ units after the expiration of the financing control period.

G. PUD Benefits, Amenities and Proffers

TABLE 3. PUD Benefits, Amenities and Proffers

ITEM	PROF-FERRED?	MITI-GATION ?	PUBLIC BENEFIT ?	AMEN-ITY?	RE-QUIRED?	NOTES
Market rate housing	No	No	Yes	No	No	
25% IZ after expiration of financing-required affordability period	No	No	Yes	No	8% Required	
Superior Architecture	Yes	No	No	Yes	Yes	Publicly-assisted project would have market-rate materials and appearance, and several external amenity areas..
Enhanced Sustainability	Yes	No	Yes	No	No.	9,131 SF of green roof, and 1,868 SF of solar panels
Adult Day Treatment (Adult Daycare) Facility	Yes	No	Yes	Yes	No	Would accommodate 60 residents and possibly some nearby residents

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. While the proposal would add 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 only notable adverse impact may be shadowing on the common area and buildings to the north. However, due to the location of the existing access road for the entire PUD, 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.

VI. ANC COMMENTS

There was no comment from ANC 5E filed to the record at the time OP completed this report.

VII. OTHER PUBLIC COMMENTS

At the time OP completed this report, there were no comments filed by members or the public.

VIII. OTHER DISTRICT AGENCY COMMENTS

District agencies were provided with a project summary and invited to the virtual interagency meeting OP held on October 13, 2020. Four District agencies were in attendance

DDOT stated it has met with the applicant regularly throughout the application process. While most of its recommendations are reflected in the applicant's Transportation Statement (Exhibit 18A) the Department will provide details on its transportation and loading zone recommendations in a separate report to the Commission.

The District Department of Energy and the Environment (DOEE) encouraged the applicant to comply with the 2017 DC construction code, the 2018 Clean Energy DC Omnibus Act standards, to individual unit metering for eligibility for Solar For All community subscriptions, and to consider making the building all-electric to help meet the goals of the Sustainable DC and Clean Energy DC plans.

The Department of Housing and Community Development worked with OP on the applicant's IZ proffer, attended the meeting and provided assistance with research on laundry facilities in affordable housing senior independent living facilities, but did not provide comments at the meeting.

In addition to the agencies noted above, the Department of Consumer and Regulatory Affairs and the Department of Parks and Recreation participated in the meeting.

No other District agencies provided comments to OP:

JLS/sic