

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

TIME AND PLACE: **Thursday, December 2, 2021, @ 4:00 p.m.**
WebEx or Telephone – Instructions will be provided on the Office of Zoning website by 12:00 noon on the Hearing Date

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

CASE NO. 17-08A (Providence Place I, LP - Modification of Significance of Approved Planned Unit Development and Related Map Amendment @ Square 5194, Lot 827)

THIS CASE IS OF INTEREST TO ANC 7C

Oral and Written Testimony

- All who wish to testify in this case are **strongly encouraged** to sign up to do so **at least 24 hours prior to the start of the hearing** on OZ's website at <https://dcoz.dc.gov/> – see below: *How to participate as a witness – oral statements.*
- All written comments and/or testimony **must be submitted to the record at least 24 hours prior to the start of the hearing** – see below: *How to participate as a witness – written statements.*

Providence Place I, LP (the “**Applicant**”) filed an application (the “**Application**”) on June 28, 2021, with the Office of Zoning requesting that the Zoning Commission (the “**Commission**”) grant the following relief under the Zoning Regulations (Title 11 of the DCMR, Zoning Regulations of 2016, to which all references are made unless otherwise specified), for a Modification of Significance (the “**Application**”) for Lot 827¹ in Square 5194 (the “**Property**”):

A Modification of Significance to Z.C. Order No. 17-08 (the “**Original Order**”), which approved a Planned Unit Development (“**PUD**”) and related Zoning Map Amendment for the Property, pursuant to Subtitle X §§ 303.1 and 303.11 and Subtitle Z § 704, to add zoning flexibility from the loading requirements of Subtitle C § 905.2 to provide a 12-foot, 6-inch vertical clearance instead of the minimum 14 foot required.

THE PROPERTY:

The Property comprises approximately 1.6 acres on the east side of 50th Street, N.E., between Nannie Helen Burroughs Avenue and Fitch Place, N.E. To the east of the PUD site is the campus for the Progressive National Baptist Convention. Construction of the 93-unit apartment house pursuant to the PUD approved by the Original Order (the “**Approved PUD**”) is currently ongoing on the Property.

¹ The Original Order applied to the western part of Lot 824, subdivided into two lots – 825, the site of the PUD approved by the Original Order, and 826, the remainder of the Progressive National Baptist Convention (“PNBC”) campus. Lot 825 was subsequently divided into two lots – 827, the Property, and Lot 828, to be dedicated to the District for the 50th Street, N.E., right-of-way.

PRIOR APPROVALS:

Z.C. Case No. 17-08 (effective March 8, 2018) – The Commission approved a Consolidated PUD with a related Zoning Map amendment from the RA-1 to the RA-2 zone to allow the construction of an apartment house (the “**Approved PUD**”) with:

- A maximum building height of approximately 31 feet, 10 inches;
- A density of approximately 1.88 floor area ratio (“**FAR**”);
- Approximately 93 residential units, comprised of one-bedroom, two-bedroom, three-bedroom, and four-bedroom units, all of which will be reserved for households with incomes not to exceed 60% of the area median income (“**AMI**”), including 35 replacement units for the Lincoln Heights and Richardson Dwellings communities controlled by the DC Housing Authority; and
- 48 below-grade parking spaces.

Pursuant to Subtitle Z § 704.4, the scope of a public hearing for a Modification of Significance is limited to the impact of the modification on the Approved PUD and does not permit the Commission to revisit its original decision to grant the Approved PUD.

This public hearing will be conducted in accordance with the contested case provisions of Subtitle Z, Chapter 4.

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 <https://dcoz.dc.gov/> or by calling Ron Barron 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. The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | |
|-------------------------------------|-------------------------|
| 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, provided that **all written comments and/or testimony must be submitted to the record at least 24 hours prior to the start of the hearing, unless approved by the Commission upon request to be introduced at the public hearing.** 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 Ron Barron 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>.

"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 A. SHAPIRO, PETER G. MAY, AND AOC REPRESENTATIVE ----- 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。

Quý vị 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.

ለሙሳተፍ ዕርዳታ ያስፈልግዎታል? 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። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።