



TO: District of Columbia Zoning Commission
FROM: ^{JLS} Jennifer Steingasser, Deputy Director, Development Review & Historic Preservation
Karen Thomas, Project Manager

DATE: November 19, 2021

SUBJECT: Public Hearing Report – ZC 17-08A – Modification of Significance
Providence Place - 601 50th Street NE. (Square 5194, Lot 824)

I. RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the modification of significance to permit a change to Decision A of the Order to include the requested flexibility as follows (addition in **bold and underlined**):

- **To permit a vertical clearance height of the loading berth at 12 feet 6 inches, where 14 feet is required pursuant to Subtitle C § 905.2.**

The requested flexibility would not alter the Commission’s findings regarding consistency with the Comprehensive Plan nor is the flexibility unreasonable when judged against the Providence Place PUD benefits and amenities noted in the Order 17-08 (Exhibit A).

II. BACKGROUND

The request for a modification of significance was set down by the Zoning Commission (ZC) on July 26, 2021. ZC Order 17-08 dated November 27, 2017, approved a consolidated Planned Unit Development (PUD), and related Map Amendment from the RA-1 to the RA-2 zone to allow development of the former parking lot on the site of the Progressive National Baptist Church (PNBC). The original PUD was approved in the alternative for a 4-story, 93-unit apartment building. The units are dedicated to residents earning no more than 60% MFI and 35 units are dedicated as replacement housing for residents of the former Lincoln Heights and Richardson Dwellings (LH/RD). The project is near completion.

At setdown, the Zoning Commission did not make any requests for additional information during deliberations.



III. LOCATION and SITE DESCRIPTION

Comprehensive Plan – Generalized Policy Map	Split: Neighborhood Conservation and Neighborhood Enhancement
Future Land Use Map	Moderate Density Residential The amended Comprehensive Plan (2021) made no changes to the approved map designations. However, additional language was added to require analysis of the Comp Plan be considered through a racial equity lens which is discussed below.
Current Use of Property	New 93-unit apartment building. At the writing of this report the building is near completion.
Approved Flexibility	<ol style="list-style-type: none"> 1. A PUD – related map amendment from RA-1 to RA-2 2. To provide a range in the number of residential units +/- 10%; 3. To vary location and design of interior components...provided there is no change to the exterior configuration of the building; 4. To vary the final selection of exterior materials within the color ranges and material types as proposed, based on availability at time of construction; to make minor refinements to detailing; and other changes necessary to obtain a final building permit; 5. To vary location, attributes and general design of the streetscape ...to comply with DDOT and public space requirements
Requested New Flexibility	6. To allow the loading area a proposed vertical clearance of 12 feet - 6 inches where 14 feet minimum is required.
Approved PUD Benefits and Amenities	The provision of all affordable and replacement housing for former Lincoln Heights/Richardson Dwellings residents is the main public benefit of this project. Additional benefits are highlighted in Section V of this report.

REQUESTED NEW FLEXIBILITY

Loading - Vertical Clearance Height

The project seeks a modification to permit a vertical clearance of 12 feet – 6 inches for its loading area, pursuant to Section C, § 905.2 of the Zoning Regulations which requires a minimum vertical clearance height of 14 feet. Loading is required when the number of units is more than 50 units.

Plans show the loading area would now be provided with a 12-foot 6 inches clearance, which would still allow for smaller trucks. At this stage of the building’s near completion and potential effect on floor-to-ceiling heights for units above, the site constraints, including the site’s grade, make requiring the 14 feet clearance a practical difficulty and would be impractical.

The applicant has stated that *“given that the project consists of residential apartments, the proposed loading dock is geared to serve residential move-in/move-out activity, furniture and parcel deliveries, and trash pick-up. Residential move-in/move-out trucks (typical large U-Haul trucks) are around 11 feet in height for trucks that serve 3-5 bedroom homes. The overall height of trash trucks range in height from 12’ to 12’-6” . These trucks can be accommodated in the proposed loading dock area with a vertical clearance of 12’-6” without any issues.”* (Exhibit 3F)

The District Department of Transportation (DDOT) reviewed the submission and recommended the following be included in the Loading Management Plan:

- *The Applicant shall install a low clearance bar at the garage entry noting the height of the ceiling clearance.*

The District Department of Transportation (DDOT) report will be filed separately to the record.

IV. PLANNING CONTEXT

THE COMPREHENSIVE PLAN AND EQUITY

Title 11 Subtitle X § 304.4(a) requires that a PUD, inclusive of a map amendment, be not inconsistent with the Comprehensive Plan and other adopted public policies and active programs related with the site. Since this project's approval and the site's development, the Comprehensive Plan was amended and provides further direction for project review by the Zoning Commission. The revised Comprehensive Plan recognizes that project review should now require a multi-faceted approach, highlighting equitable development.

The Zoning Commission is now charged to “evaluate all actions through a racial equity lens as part of its Comprehensive Plan consistency analysis” as referenced under Section 2501.8 of the Implementation Element. This new direction is to consider equity as part of the consistency analysis based on the policies of the Comprehensive Plan and whether a proposed zoning action is “not inconsistent” with the Plan.

The approved PUD when viewed through the equity lens, is an all-affordable project including replacement housing for former residents of Lincoln Heights/Richardson Dwelling. The PUD, if modified as requested would remain not inconsistent with the Comprehensive Plan's Generalized Future Land Use Map designation of moderate density residential, the Generalized Policy Map designations of neighborhood conservation and enhancement, and the Guiding Principles of the Framework Element. It was also found and would remain consistent with the Land Use, Transportation, Housing, Urban Design, Environmental, Historic Preservation, and Open Space Elements; as well as the policies of the Far Northeast and Southeast Area Element.

According to the Deputy Mayor for Planning and Economic Development at the hearing for the original application (ZC 17-08, Exhibit 41): *... Not only is Providence Place essential to NCI fulfilling the principle of Build First, it is also essential to the principle of Mixed-Income development which seeks to deconcentrate poverty and alleviate the concentration of low-income housing. [F]urthermore, the newly developed community area will integrate public housing, workforce and market rate residents... and provide ladders of opportunity for former residents of public housing, deconcentrate poverty and preserve affordable housing opportunities in a rapidly changing neighborhood.*

When viewed through the equity lens, the development of a portion of the Progressive National Baptist Convention campus as a residential project with 93 all affordable units with a range of 1 to 4 bedrooms will attract diverse households and families. The development also takes advantage of a private site, to help restore the neighborhood's fabric while providing a commendable depth of affordable housing for the NCI on the PNBC campus.

V. COMMUNITY COMMENTS

ANC 7C voted to support the modification at its regularly held meeting on October 14, 2021. The ANC's report is not included in the record at the writing of this report.

VI. OP COMMENTS

OP supports approval of the requested flexibility as no adverse impacts to neighboring property are anticipated, including the availability of on-street loading, since most loading needs can be adequately accommodated within the proposed loading area.

OP is satisfied that the proposal remains balanced and consistent with the approved PUD. It would also remain consistent with the 2020 Comprehensive Plan including the Framework, Land Use, Housing, Environment and Far Northeast and Southeast Area elements; the Future Land Use Map, Generalized Policy Map; and the New Communities Initiative for Lincoln Heights/Richardson Dwellings, which in sum provides supporting language in its development direction for the site.

The Office of Planning recommends approval of the modification.

