

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

TIME AND PLACE: **Monday, May 9, 2022, @ 4:00 p.m.**
**WebEx or Telephone – Instructions will be provided on
the OZ website by Noon of the Hearing Date**

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 22-02 (Office of Planning – Zoning Map Amendment @ 16th, 19th, 20th, & 21st Streets, N.E.; 23rd & 25th Place, N.E.; & Benning Road, N.E. (Square 4510, Lots 64-66, 82, 96-99, 150-153 & 156; Square 4511, Lot 68; Square 4513, Lots 77, 81, 82, 90, 91, 872, 875, 877, 881 883, 885, 901, 905, 909, 912, 919 & 921; Square 4514, Lots 31, 32, 808, 810 & 812; Square 4515, Lots 97, 98, 101-103, 803, 805, 809, 819, 823, 825, 828-831 & 834; Square 4516, Lots 206 & 208-210; Square 4517, Lots 77, 78, 803, 805, 809, 811, 813, 817, 819, 821 & 822; and Square 4518, Lots 76, 79, 77, 74, 82, 81, 80, 78, 75, & 800; and Parcel 149/60) - Wards 6 & 7

THIS CASE IS OF INTEREST TO ANCS 6E & 7D

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/service/sign-testify>. **On the day of the hearing**, call 202-727-0789 to sign up to testify. 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*.

On January 2, 2022, the Office of Planning (“OP”) filed a report of same date, that served as a Petition (the “OP Report”) requesting the Zoning Commission (the “Commission”) approve a proposed amendment of the Zoning Map (the “Map Amendment”) for lots fronting Benning Road, N.E. in Squares 4510, 4511, and 4513 through 4518 and Parcel 149, 0060 (the “Property”), from the current MU-4 and RA-2 zones to the MU-5A zone.

Specifically, the following properties from the RA-2 zone to the proposed MU-5A zone:

- Square 4511: Lot 068; and

The following properties from the MU-4 to the proposed MU-5A zone:

- Square 4510: 98, 99, 82, 151, 65, 156, 150, 152, 66, 97, 64,153, and 96;
- Square 4513: 91, 81, 921, 881, 872, 901, 912, 905, 877, 885, 919, 82, 90, 77, 899, 875, 909, and 883;
- Square 4514: 32, 812, 31, and 810;
- Square 4515: 808, 103, 97, 98, 102, 803, 830, 828, 805, 809, 829, 823, 101, 825, 819, 831, and 834;
- Square 4516: 206, 209, 208, 210;
- Square 4517: 78, 821, 805, 817, 803, 77, 813, 822, 819, 811, and 809;
- Square 4518: 76, 79, 77, 74, 82, 81, 80, 78, 75, and 800; and
- Parcel 149/060

The identified lots and parcels in this Petition are bounded by Benning Road, N.E. on the north, an east-west alley or Gales Place to the south, 16th Street to the west and Oklahoma Avenue, N.E. to the east. In combination, these lots represent approximately 2,990.94 linear feet of frontage along Benning Road, N.E. and the H Street/Benning Road streetcar line and approximately 372,938 square feet of land.

The OP report stated that the proposal to rezone the subject properties from the MU-4 and RA-2 zone to the MU-5A zone is intended to implement changes to the recently updated Comprehensive Plan (2021) and would not be inconsistent with the Comprehensive Plan and the Benning Road Corridor Redevelopment Framework Plan (2008). The OP Report therefore recommended that the Commission set down the Petition for a public hearing. The OP report also recommended that the Map Amendment be subject to IZ Plus pursuant to Subtitle X § 502.1(b). IZ Plus requires a higher affordable housing set-requirement than Regular IZ and prescribes a set-aside requirement based on either a sliding-scale that is correlated to the total floor area built, or the amount of IZ bonus density built.

At its January 13, 2022 public meeting, the Commission voted to set the Petition down for a public hearing as a rulemaking case.

Current Zoning

The current RA-2 zone is intended to permit moderate-density residential and a maximum density of 1.8 FAR for uses within the categories of Subtitle U § 401.1.

The current MU-4 zone is intended to provide for moderate-density mixed-use development providing office, retail, and housing facilities in low- and moderate-density areas with access to main roadways or transit stops. The MU-4 zone permits a maximum height of 50 feet; a maximum lot occupancy for residential use of 60% (75% for IZ developments); and a maximum FAR of 2.5 (3.0 for IZ developments), with a maximum 1.5 non-residential FAR.

Proposed Zoning

The proposed MU-5A zoning is intended to provide for medium-density mixed-use development with an emphasis on residential use providing office, retail, and housing facilities on arterial streets and rapid transit stops. The MU-5A zone permits a maximum height of 65 feet (70 feet for IZ developments); a maximum lot occupancy for residential use of 80%; and a maximum FAR of 3.5 (4.2 for IZ developments), of which no more than a maximum of 1.5 may be non-residential FAR.

Comprehensive Plan

The Generalized Policy Map (“GPM”) of the Comprehensive Plan (“CP”) designates the Properties as a Main Street Mixed Use Corridor, which the CP’s Framework Element defines as traditional commercial business corridors with a pedestrian-oriented environment with traditional storefronts with upper story residential office uses. Redevelopment of these corridors should foster economic and housing opportunities, serve neighborhood needs, support transit use, and enhance the pedestrian environment.

The CP’s Future Land Use Map (“FLUM”) designates the Properties for Mixed-Use Medium-Density Residential/Moderate-Density Commercial. The CP’s Framework Element defines

Medium-Density Residential as including neighborhoods with mid-rise (4-7 stories) apartment buildings as the predominant use, with some taller residential buildings surrounded by large areas of permanent open space, with the RA-2 and RA-3 zones specifically identified as generally consistent zones, although other zones may apply.

The complete record in the case can be viewed online at the Office of Zoning's Interactive Zoning Information System (IZIS) at <https://app.dcoz.dc.gov/Content/Search/Search.aspx>.

The Zoning Act of June 20, 1938 (52 Stat. 797, as amended; D.C. Official Code § 6-641.01, et seq. (2018 Repl.)) authorizes the Commission to consider and approved proposed amendments to the Zoning Map of the District of Columbia.

This virtual public hearing will be conducted in accordance with the rulemaking case provisions of Subtitle Z, Chapter 5..

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 **on the day of the hearing** 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. 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:

- | | | |
|----|---------------|----------------|
| 1. | Organizations | 5 minutes each |
| 2. | Individuals | 3 minutes each |

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 Ron Barron at (202) 727-0789 for further assistance.

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

ANTHONY J. HOOD, ROBERT E. MILLER, PETER G. MAY, AND JOSEPH S. IMAMURA ----- 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.

ለሙሉ ተሳታፊ ሰነድ ለማግኘት? የተለየ እርዳታ ካስፈለገዎት ወይም የቋንቋ እርዳታ አገልግሎቶች (ትርጉም ወይም ማስተርጓሚ) 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።