

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

Leila M. Jackson Batties
202.419.2583
leila.batties@hklaw.com

Christopher S. Cohen
202.740.3797
christopher.cohen@hklaw.com

June 28, 2021

VIA IZIS

Zoning Commission for the
District of Columbia
441 4th Street, NW, Suite 210S
Washington, D.C. 20001

**Re: Zoning Commission Order No. 17-08
Modification of Significance to Approved Planned Unit Development @
Square 5194, Lot 827 (formerly Lot 824)¹ (the “Property”)**

Dear Members of the Zoning Commission:

On behalf of Providence Place I, LP (the “**Applicant**”), in partnership with Progressive National Baptist Convention, Inc. (“**PNBC**”), the owner of the above-referenced Property, we submit this request for a modification of significance to an approved planned unit development and related Zoning Map amendment, Zoning Commission Order No. 17-08 (collectively, the “**PUD**”), for flexibility from the minimum vertical clearance requirement under Subtitle C § 905.2. This modification request is made pursuant to Subtitle Z § 704.

A letter authorizing Holland & Knight LLP to file and process this modification request is included as Exhibit D to the enclosed statement. Also enclosed is a check made payable to the D.C. Treasurer for the filing fee applicable to this application (\$520.00).

As detailed in the enclosed statement, the Applicant seeks a Modification of Significance to the approved PUD in order for the project to have flexibility from the loading requirements. Specifically, the Applicant proposes a vertical clearance of 12 feet – 6 inches where Subtitle C § 905.2 requires a minimum vertical clearance of 14 feet. During construction the Applicant discovered that, due to a structural drop panel in the concrete slab, the project is unable to achieve the 14 feet vertical clearance. In support of the present request, the Applicant’s traffic consultant

¹ The original PUD approval applied to Lot 824. Lot 824 was divided into two lots – 825, the PUD site, and Lot 826, the remainder of the Progressive National Baptist Convention campus. Lot 825 was subsequently divided into two lots – 827, which is the site of the apartment house, and Lot 828, which will be dedicated to the District for the 50th Street right of way.

has provided a memorandum concluding that the proposed vertical clearance will adequately service the project. *See* Exhibit F.

At its public meeting on June 24, 2021, the Zoning Commission granted a limited waiver from Subtitle Z § 300.7, which allows the Applicant to file this application within forty-five (45) days of mailing the Notice of Intent. The Applicant's correspondence to the Commission initiating that limited waiver request is included as Exhibit I.

In light of the foregoing and the enclosed materials, the Applicant respectfully requests that the Zoning Commission consider set down of this modification of significance application at the next available public meeting date. We very much appreciate your consideration of this matter.

Very truly yours,

HOLLAND & KNIGHT, LLP



Leila M. Jackson Batties



Christopher S. Cohen

Encl.

cc: Certificate of Service

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on June 28, 2021, a copy of the foregoing modification of significance to a planned unit development and related Zoning Map amendment, approved pursuant Zoning Commissioner Order No. 17-08, was served upon the following via the means noted below:

D.C. Office of Planning

Ms. Jennifer Steingasser
Mr. Joel Lawson
Ms. Karen Thomas
jennifer.steingasser@dc.gov
joel.lawson@dc.gov
karen.thomas@dc.gov

VIA E-MAIL

Advisory Neighborhood Commission 7C
4551 Nannie Helen Burroughs Avenue, NE #2
Washington, DC 20019
7c@anc.dc.gov

**VIA E-MAIL AND
MAIL DELIVERY**

Commissioner Antawan Holmes, Chair ANC 7C
4805 Meade Street, NE
Washington, DC 20019
7C07@anc.dc.gov

**VIA E-MAIL AND
MAIL DELIVERY**

Commissioner Patricia Malloy, SMD 7C01
501 50th Place, NE
Washington, DC 20019
7C01@anc.dc.gov

**VIA E-MAIL AND
MAIL DELIVERY**



Christopher S. Cohen, Esq.
Holland & Knight LLP