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

TIME AND PLACE: **Thursday, July 21, 2022 @ 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:

Z.C. CASE NO. 22-04 (Hanover R.S. Limited Partnership – Consolidated PUD & Related Map Amendment from the PDR-2 Zones to the MU-4 & MU-6 Zones, Reed & Franklin Streets, N.E. (Sq. 3841, Lots 38, 825, 829, & 832-834; & Sq. 3846, Lots 82, 846, 856, & 859)

THIS CASE IS OF INTEREST TO ANC 5B

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 – see below: *How to participate as a witness – oral statements*. **On the day of the hearing**, call 202-727-0789 to sign up to testify.
- 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*.

Hanover R.S. Limited Partnership (the "Applicant") filed an application (the "Application") on January 21, 2022, requesting that the Zoning Commission for the District of Columbia (the "Commission") approve a consolidated planned unit development ("PUD") and a related Zoning Map amendment from the PDR-2 to the MU-4 and MU-6A zones.

PROPERTY

The property that is the subject of this application includes Lot 82, 846, 856, and 859 in Square 3846, and Lots 38, 825, 829, 832, 833, and 834 in Square 3841 (collectively, the "PUD Site"). The PUD Site has a total land area of approximately 156,361 square feet. The PUD Site is located on the south side of Franklin Street, N.E., bounded by the Washington Metropolitan Area Transit Authority tracks to the west and a north-south public alley on the east (which is located to the west of 10th Street, N.E.). Several alleys traverse through the PUD Site. The PUD site is located in the southeastern side of the Brookland neighborhood and is generally surrounded by a mix of residential and non-residential uses.

PROPOSED PROJECT

The Applicant proposes to construct a mixed-use development in two phases with Reed Street (Alley)[1] being realigned[2] to bifurcate the overall project and to extend to Franklin Street. The development would consist of two buildings with three massings. "Phase I" at the southern end of

[1] This portion of Reed Street, N.E. has been and will continue to be a public alley, although it will be improved to street standards as approved by the District of Department Transportation ("DDOT").

[2] The Applicant has an application pending with the Office of the Surveyor that seeks to close portions of the alley system in Square 3841 and 3846 as well as a 10-foot portion of the south side of Franklin Street. This application also includes dedications of land to effectuate the proposed realignment of Reed Street.

the PUD Site would be connected by a pedestrian bridge to the north massing of "Phase IIB", and together they would be the "West Building" on the west side of Reed Street. Across the realigned Reed Street at the northeast corner of the PUD Site would be the "Phase IIA" building. The height of the two buildings would be 84 feet (West Building) and 65 feet (Phase IIA Building). The total proposed gross floor area ("GFA") is approximately 769,490 square feet with an overall aggregate floor area ratio ("FAR") of 4.91.

The overall project will provide approximately 683 new residential units with approximately 18,000 square feet of ground-floor GFA devoted to Production Distribution and Repair ("PDR") / makerspace uses (the "Project"). As part of the Project, the Applicant proposes to set aside 15% of the total residential GFA for affordable housing, at varying levels of a affordability. Other public benefits of the PUD include substantial improvements to the surrounding infrastructure and streetscape as well as various contributions to multiple community organizations.

EXISTING AND PROPOSED ZONING

The PUD Site is currently zoned PDR-2. The current PDR-2 zoning does not permit multi-family residential development. Under the PUD, the western and southern portion of the PUD Site – i.e., generally Lot 82, 825, 832, 846, and 856 as well as the closed public street and portions of the closed public alleys – will be rezoned to the MU-6A zone; and the northeastern corner of the PUD Site – i.e., generally Lots 38, 829, 833, and 834 as well as portions of the closed public alleys – will be rezoned to the MU-4 zone. The zone boundary line will extend down the center of the realigned Reed Street to the intersection with the east-west public alley to the east of Reed Street. Thus, the West Building will be subject to the development standards of the MU-6A zone, whereas the Phase IIA building will be subject to the development standards of the MU-4 zone. Lot 859 in Square 3846 is currently zoned MU-6B, and no zone change is proposed for that portion of the PUD Site.

RELIEF AND FLEXIBILITY REQUESTED

The proposed PUD meets all developments standards of the MU-6A and MU-4 zones, except the application requests relief from:

- Minimum Side Yard (MU-4 and MU-6A zones) – minimum of 14 feet required for West Building and minimum of 11 feet required for Phase IIA building, varying setbacks proposed to allow for building setbacks from the newly created sidewalks;
- Minimum Rear Yard (MU-4 zone) – minimum of 15 feet required for Phase IIA building, 11 feet, 8 inches proposed as a result of massing coordination with the community; and.
- Lot Occupancy (MU-4 zone) – maximum 75% permitted with IZ; 80% proposed for Phase IIA building due to dedication in fee of the new sidewalks.

In addition, the Applicant requests various forms of typical design flexibility.

COMPREHENSIVE PLAN

The General Policy Map of the Comprehensive Plan (the "CP") designates the PUD Site as a Neighborhood Conservation Area, which encompasses substantial portion of the Upper Northeast Planning Area, including, but not limited to, low density residential areas, industrial areas an mixed use areas near Metrorail.

The CP's Future Land Use Map (the "FLUM") designates the west portion of the PUD Site as Mixed Use (High Density Residential / PDR) and the east portion of the PUD Site as Mixed Use (Moderate Density Residential / PDR). (10A DCMR §§ 227.20(b) and (d).) Typically, the general density and intensity of development within a given Mixed Use area is determined by the specific mix of uses shown on the FLUM. (10A DCMR § 227.21.)

In addition to the objectives of the various Citywide Elements of the CP, the PUD Site is also subject to the policies set forth in the Upper Northeast Area Element. The PUD Site also falls within the area covered by the *Rhode Island Avenue 'Diamond of the District'* Small Area Plan. The Applicant has provided an evaluation of the application's consistency with the CP at Exhibit 3H of the case record.

SETDOWN

The Office of Planning ("OP") filed a report dated March 21, 2022, marked as Exhibit 15 in the case record (the "OP Setdown Report"), recommending that the Commission setdown the Application for a public hearing.

At its March 31, 2022, public meeting the Commission voted to set down the Application for a public hearing as a contested case.

The Applicant submitted its prehearing submission on April 8, 2022.

The complete record in the case, including the Applicant's filings and the OP Setdown Report, can be viewed online at the Office of Zoning website, through the Interactive Zoning Information System (IZIS), at: https://app.dcoz.dc.gov/CaseReport/CaseReportPage.aspx?case_id=22-04.

The virtual public hearing will be conducted in accordance with the contested case provisions of Subtitle Z, Chapter 4 of the Zoning Regulations (Title 11, Zoning Regulations of 2016, to which all references are made unless otherwise specified) as well as the text adopted by the Commission on October 15, 2020, in Z.C. Case No. 20-11, as printed in the Notice of Final Rulemaking published in the *D.C. Register* on October 30, 2021.

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, JOSEPH S. IMAMURA, AND PETER G. MAY-------- 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。

Quí vị có cần trợ giúp gì để tham gia không? Nếu quí 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.

ለመሳተፍ 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 በኤሜል Zelalem.Hill@dc.gov ይገናኙ። እነኚህ አገልግሎቶች የሚሰጡት በነጻ ነው።