

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
ZONING COMMISSION ORDER NO. 02-50A**

Z.C. Case No. 02-50A

Minor Modification of an Approved Planned Unit Development

Located at 2501 Wisconsin, N.W. (Square 1935, Lot 817)

September 25, 2006

Pursuant to notice, the Zoning Commission for the District of Columbia (the “Commission”) held a special public meeting on September 25, 2006. At the special public meeting, the Zoning Commission approved an application from St. Luke’s Condominiums, LLC (the “Applicant”) for a minor modification to an approved planned unit development (“PUD”) to approve minor modifications to the building’s façade and roof structures.

FINDINGS OF FACT

The original PUD application, Z.C. Case No. 02-50, involved both vacant land at the corner of Wisconsin Avenue and Calvert Street, N.W. and the land that was improved with St. Luke’s United Methodist Church (Lots 817 and 818 in Square 1935). The original PUD approval was for the construction of a residential project that included 44 for-sale residential units in a building that had a measured building height of 40 feet, included approximately 85,000 square feet of gross floor area, and provided 104 total parking spaces (two parking spaces were to be conveyed with each residential unit and 16 spaces were to be reserved for guests). The PUD project was built pursuant to Zoning Commission Order No. 02-50, which became final and effective on November 14, 2003.

On July 14, 2006, the Applicant filed an application to obtain approval of certain modifications to the building’s façade and the structures on the roof. The modification application did not include a request for any change in the size or height of the building on the Property or the number of residential units provided in the PUD project. On September 20, 2006, the Applicant filed additional materials depicting a revised building façade that was requested by Advisory Neighborhood Commission (“ANC”) 3C, a party to the original PUD application.

On September 1, 2006, the Office of Planning (“OP”) submitted a report that concluded the proposed modifications to the approved PUD project will be consistent with the intent of the Zoning Commission Order and that some elements are improvements over those of the approved PUD. OP further concluded that the PUD project continues to not be inconsistent with the Comprehensive Plan, as well as the purposes and standards of a PUD.

At a regularly scheduled public meeting on September 11, 2006, the Commission determined that this application should be processed as a minor modification application pursuant to 11 DCMR § 3030.11. The Commission requested that the Applicant and the Director of the Office of Zoning take the necessary steps so that the application could be placed on the Commission's Consent Agenda for its special public meeting on September 25, 2006. At the September 25, 2006, special public meeting, the Commission voted 5-0-0 to approve the modification application as a minor modification.

CONCLUSIONS OF LAW

Upon consideration of the record of this application, the Zoning Commission concludes that the Applicant's proposed modifications are minor and consistent with the intent of the previous PUD approval made in Zoning Commission Order No. 02-50. The Zoning Commission concludes that the proposed modifications are in the best interests of the District of Columbia and are consistent with the intent and purpose of the Zoning Regulations and Zoning Act.

The approval of the modifications are not inconsistent with the Comprehensive Plan. The modifications are of such a minor nature that their consideration as a consent calendar item without public hearing is appropriate.

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders **APPROVAL** of a minor modification to the building's façade and roof structures that were approved in Zoning Commission Order No. 02-50. All other provisions and conditions of Zoning Commission Order No. 02-50 remain in effect.

DECISION

In consideration of the above Findings of Fact and Conclusions of Law contained in this order, the Zoning Commission for the District of Columbia orders **APPROVAL** of this application for modification of the approved PUD project in Z.C. Order No. 02-50.

Vote of the Zoning Commission taken at the special public meeting on September 25, 2006: 5-0-0 (Carol J. Mitten, Anthony J. Hood, Gregory N. Jeffries, John G. Parsons, and Michael Turnbull to approve).

In accordance with the provisions of 11 DCMR § 3028.29, this Order shall become final and effective upon publication in the *D.C. Register* on APR - 6 2007.



CAROL J. MITTEN
CHAIRMAN
ZONING COMMISSION



JERRILY R. KRESS, FAIA
DIRECTOR
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