

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 415

Case No. 81-7/80-10F

November 21, 1983

On December 10, 1981, by Order No. 357 the Zoning Commission of the District of Columbia granted approval to the application of The Milton Companies, Inc. for Planned Unit Development (PUD) for lots 387, 388, 421, 422 and 538 in Square 1300 and related map change from R-3 to D/C-2-A for a portion of the PUD site. The PUD located at 2308 - 2328 Wisconsin Avenue, N.W. involves a mixed-use development on a parcel of approximately 43,380 square feet in area. The site has frontage on both Wisconsin Avenue, N.W. and 37th Street, N.W. When completed, the project will comprise sixty-four apartment units and an office retail component of approximately 79,495 square feet. Under Paragraph 7501.76 of the Zoning Regulations, Order No. 357 is due to expire on December 25, 1983.

By letter dated October 6, 1983, counsel for the applicants requested that the Commission extend the validity of the approval of the PUD granted on December 10, 1981. The letter stated in part, that:

A key element of the project is the provision of 64 housing units. As the Commission is well aware, the housing market has experienced its worst market conditions since the Depression of the 1930's due to nationwide economic conditions. The Milton Company, like all other developers, has experienced this adverse market. In addition, as the Commission is also aware, the abundance of vacant office space in the downtown area has adversely affected the ability to finance and develop office space at "periphery" locations like the subject site.

In short, the combination of available prime office space, at significantly reduced rental rates, in the downtown and the adverse housing market have prevented The Milton Company, despite its extensive background and expertise in the local real estate industry, from financing, and thus, developing the Project.

Upon receiving final approval of the PUD, the applicant

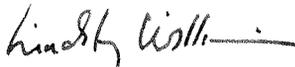
undertook serious efforts to finance the Project. Despite all its efforts to seek financing, the national economic conditions and local office market have resulted in a situation in which acceptable financing is unavailable. It is now unlikely that financing can be secured and a building permit applied for prior to the expiration of Zoning Commission Order No. 357.

The Zoning Commission is mindful of the current unfavorable economic climate for the housing industry, the abundance of vacant office space in the downtown area and the resulting slow absorption of office space in peripheral area such as the subject site. The Commission understands the budgeting, marketing and other development constraints associated with the subject mixed use development, which contains both a housing and an office component.

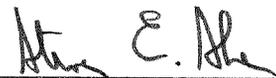
The Commission believes that an extension of time, for this particular project, as requested by the applicants, is not unreasonable, that the rationale for granting approval for the PUD has not significantly changed, and that there will be no adverse consequences incurred by accommodating the request.

It is therefore hereby ordered that the validity of Zoning Commission Order No. 357 is EXTENDED for a period of two years, until December 25, 1985. Prior to the expiration of that time, the applicant shall file an application for a building permit, as specified in Paragraph 7501.81 of the Zoning Regulations. Construction shall start within five years of the date of the PUD approval.

Vote of the Zoning Commission taken at the public meeting held on November 21, 1983: 4-0 (Lindsley Williams, Maybelle T. Bennett, Walter B. Lewis, and John G. Parsons to approve the extension, George M. White, not present, not voting).



LINDSLEY WILLIAMS
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
Zoning Secretariat