

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 512 A
Case No. 86-1C
(Boston Properties I - PUD)
February 13, 1989

On December 8, 1986, by Z.C. Order No. 512, the Zoning Commission for the District of Columbia granted approval to the application of Boston Properties for consolidated review of a Planned Unit Development (PUD) and related change of zoning from R-5-B to CR for lot 802 and portions of public alleys to be closed in Square 35. The PUD site is located at 2301 N Street, N.W. and consists of approximately 24,460 square feet of land area (21,328 sq. ft. for lot 802 and 3,132 sq. ft. for the alleys).

The approval of Z.C. Order No. 512 was for the construction of a mixed-use office and apartment building. The project was to have forty-eight (48) apartment units, a maximum height of sixty-five (65) feet, a maximum floor area ratio (FAR) of 4.05 61.87 FAR for office use and 2.18 FAR for residential use), a maximum lot occupancy of seventy-five (75) percent, and parking to accommodate a minimum of ninety-nine (99) vehicles,. Z.C. Order No. 512 expired January 30, 1989.

Pursuant to sub-section 2406.10 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning, the Zoning Commission has the authority to extend the period of validity of a PUD for good cause shown upon proper request of the application before the expiration of the PUD approval.

By prehearing submission dated August 25, 1988 in Z.C. Case No. 87-18M/86-1C (Modification to a previously approved PUD @ 23rd & N Sts., N.W. and Consolidated PUD @ 25th & N Sts., N.W.), Boston Properties included a letter requesting an extension of the validity of Z.C. Order No. 512. The request was for an extension of one year, to allow for the filing of a building permit application by January 30, 1990 and the commencement of construction by January 30, 1991. The letter,, in part, states the following:

"The applicant has not yet been able to apply for a building permit for the project, primarily because of its continued efforts to provide the greatest amount of

housing feasible in the West End by combining the development of Lot 110 in Square 24 and Lot 802 in Square 35; Zoning Commission Case No. 87-18M/86-1C. Under this codevelopment proposal, which is currently being considered by the Commission, Lot 802 would be devoted entirely to residential use, The sixty-five foot building would contain 101 apartments. A further hearing on the codevelopment PUD proposal is scheduled for October 1988.

If the Commission does not approve the combined PUD, the applicant will proceed with the construction of the approved mixed-use building on Square 35. The applicant is prepared to apply for a building permit and begin construction of the approved PUD upon issuance. Construction documents have been completed and a model condominium unit and sales office have been designed."

On October 27, 1988, at the conclusion of the public hearing on Case No. 87-18M/86-1C, the Zoning Commission considered the applicant's requested to extend the validity of Z.C. Order No. 512 for one year. Subsequent to discussion, the Commission approved an extension of the validity of Z.C. Order No. 512 for one year.

Advisory Neighborhood Commission - 2B, a party in Case No. 86-1C regarding Z.C. Order No. 512, expressed no position on the request to extend the validity of Z.C. Order No. 512.

The Zoning Commission is mindful of the unusual and unique circumstances associated with the proposed PUD project at 25th & N Sts., N.W. and its connection with the approved PUD project at 23rd & N Sts., N.W.

The Zoning Commission believes that an extension of time as requested by the applicant, is not unreasonable, that the rationale for approving Z.C. Order No. 512 has not changed, and that no adverse consequences will result from approving a one year extension.

It is therefore ordered that the validity of Zoning Commission Order No. 512 is EXTENDED for a period of one year, until January 30, 1990. Prior to the expiration of that time, the applicant shall file an application for a building permit, as specified in 11 DCMR 2406.8. Construction shall start within four years of the effective date of Z.C. Order No. 512; that is January 30, 1991.

Vote of the Zoning Commission taken at the public hearing in Case No. 87-18M/86-1C on October 27, 1988: 3-0 (Lindsay Williams, John G. Parsons, and Maybelle Taylor Bennett, to extend - Patricia N. Mathews and George M. White, not present not voting).

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This order was adopted by a vote of the Zoning Commission taken at the public meeting on February 13, 1989: 3-0 (Lindsley Williams, John G. Parsons, and Maybelle Taylor Bennett, to adopt Elliott Carroll, not voting having recused himself and Lloyd D. Smith, not voting not having participated in the case) .

In accordance with 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register: that is on

MAR 03 1989


MAYBELLE TAYLOR BENNETT
Chairperson
Zoning Commission


EDWARD L. CURRY
Executive Director
Zoning Secretariat

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