

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO 513-V

Case No. 85-3C

(PUD & Map Amendment @ 1215 I Street, N.W. - Akridge)

August 7, 1995

By Z.C. Order No. 513, dated January 12, 1987, the Zoning Commission for the District of Columbia approved the application from 1215 I Street, N.W. Associates Limited Partnership for consolidated review and approval of a planned unit development and related map amendment subject to certain conditions guidelines and standards.

The PUD approval was for a mixed use office/retail building for Lot 48 in Square 285 and related change of zoning from HR/C-3-C to c-4.

One of the conditions of approval in Z.C. Order No. 513 states that, "The PUD approved by the Zoning Commission shall be valid for a period of two-years from the effective date of this order. Within such time, applicant must file for a building permit as specified in Subsection 2407.1. Construction shall start within three years of the effective date of this order".

Z.C. Order No. 513 became final and effective on April 3, 1987. The original approval was modified by Z.C. Order No. 513-A, dated May 14, 1987, which became final and effective on August 28, 1987. Z.C. Order No. 513-A established modified deadlines for filing a building permit application and commencing construction.

By Z.C. Order No. 513-T, dated February 8, 1993, the Zoning Commission extended the PUD for an additional three years; that is until April 3, 1995 to file for a building permit and until April 3, 1996 to begin construction.

By letter dated March 17, 1995 counsel for the applicant requested a three (3) year extension of Zoning Commission Order No. 513, 513-A, and 513-T. The letter indicated that although the applicant filed and obtained a building permit within the required time frame, the applicant has been unable to proceed with construction for the following reasons:

The same adverse market conditions, which in part justified the prior extension, still exist today. However, the availability of large blocks of new Class A office space continues to dwindle, while demand for such space **has**

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increased. Thus, the applicant believes that the market for the kind of space which the PUD will provide, in one of the most attractive areas of Downtown (the Franklin Square area), is better than it has been for a number of years.

The Office of Zoning (OZ), by a memorandum dated May 15, 1995, referred the extension request to the District of Columbia Office of Planning (OP) for an analysis of whether any amendments to the Zoning Map or Regulations, or to the Comprehensive Plan since the Zoning Commission initially decided this case will effect this extension request.

By memorandum dated May 31, 1995, the OP stated the following:

The Downtown Development District Overlay (DD) was approved after the Zoning Commission originally approved this project. During its deliberations, development of Square 285 would be guided by existing approved PUDs and related map amendments. The Zoning Commission specifically excluded this square from the DD.

In conclusion, the Comprehensive Plan (Map) has been "corrected" to support the PUD's commercial concentration on Square 285. The zoning remains unchanged since the PUD was approved in 1987. Accordingly, the Office of Planning recommends that the Zoning Commission extend the validity of the approved PUD and related map amendment for an additional two years pursuant to Subsection 2406.10 of 11 DCMR.

The OZ received no comments from ANC-2F, which is an automatic party in the case, regarding the matter.

At its public meeting on June 12, 1995, the Zoning Commission received and considered the applicant's request for an extension of time and the OP recommendation.

Pursuant to Section 2406.10 of the Zoning Regulations, the Commission believes that the applicant has shown good cause for the requested extension of time. The applicant has demonstrated that market conditions are adverse and preclude construction of the PUD within the timeframe of Z.C. Order No. 513-T. Additionally, the Zoning Commission notes that the applicant believes that the market for the kind of space which the PUD will provide is better than it has been for a number of years.

The Commission concurs with the OF, and believes that a two-year extension of the validity of the PUD is appropriate.

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The Commission further believes that an extension of time, is not unreasonable, that the rationale for granting approval for the PUD has not changed, and that no adverse consequences will result from approving the request.

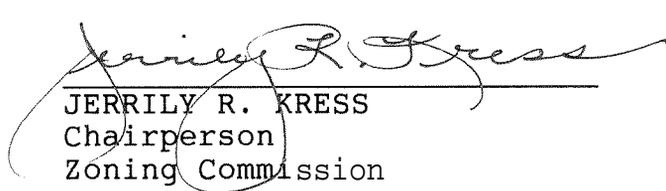
The Commission determined that an extension of time is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and the Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia hereby ORDERS that the validity of Z.C. Order Nos. 513, 513-A, and 513-T is EXTENDED for a period of two years; that is until April 3, 1997, to file for a building permit and until April 3, 1998, to begin construction.

Vote of the Zoning Commission taken at its monthly meeting on June 12, 1995 was 4-0: (John G. Parsons, Maybelle Taylor Bennett and Jerrily R. Kress, to approve a two-year extension, William L. Ensign, to approve by absentee vote).

This order was adopted by the Zoning Commission at its monthly meeting on August 7, 1995, by a vote of 4-0 (John G. Parsons, Maybelle Taylor Bennett and William L. Ensign to adopt, Jerrily R. Kress, to adopt by absentee vote).

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



JERRILY R. KRESS
Chairperson
Zoning Commission



MADELIENE H. ROBINSON
Director
Office of Zoning

ZC0513-V/SDB/MHR