

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 556-B  
Case No. 87-19C  
(PUD @ 1001 New York Avenue, N.W)  
August 5, 1991

On January 11, 1988, by Z.C. Order No. 556, the Zoning Commission for the District of Columbia granted approval to an application from the Hadid Development Corporation for a consolidated review of a Planned Unit Development (PUD) for lots 8, 7, 811, 812 and 826 through 828 in Square 343 located at 1001 New York Avenue, N.W., pursuant to the provisions of Section 2400 of the District of Columbia Municipal Regulations (DCMR), Title 11, Zoning.

The PUD approval was for the construction of a twelve-story retail/office building on various lots in Square 343 located at 1001 New York Avenue, N.W., subject to certain guidelines, conditions, and standards. The PUD project would have a total gross floor area of 237,848 square feet, a maximum floor area ratio (FAR) of 9.3, a maximum height of 130 feet and a maximum lot occupancy of 91.7 percent. The project would provide on-site parking to accommodate 163 cars.

Condition No. 23 of Z.C. Order No. 556 states the following:

"The PUD by the Zoning Commission shall be valid for a period of two (2) years from the effective date of this order. Within such time, application must be filed for a building permit as specified in Sub-sections 2407.2 and 2407.3 of the Zoning Regulations. Construction shall start within three (3) years of the effective date of this order."

Z.C. Order No. 556 became final and effective on February 26, 1988. The validity of this order was for two years; that is, until February 26, 1990, provided that application for a building permit was filed within that period of time, after which construction would have to start by February 26, 1991.

On September 11, 1989, in Order No. 556-A, the Zoning Commission granted modification of the PUD to permit design changes to the facade of the building. Z.C. Order No. 556-A became final and effective on October 6, 1989.

The validity of Z.C. Order No. 556-A was for two years; that is, until October 6, 1991, provided that, application for a building permit was filed within that period of time, after which construction would have to start within three years, that is October 6, 1992.

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By letter dated June 7, 1991, Lynx Real Estate, Inc. (Lynx), the successor in interest to Hadid, filed a request to extend the validity of Z.C. Orders No. 556 and 556-A, pursuant to 11 DCMR 2405.10.

This letter indicated that the basis for an extension stems from the following:

"Given the current economic conditions, Lynx, the successor in interest to Hadid, will not be able to apply for a building permit by October 1991 as required. We therefore respectfully request a three year extension of the validity of the PUD from October 5, 1991 to October 5, 1994."

The Zoning Commission received no comments on this matter from ANC-2C, the Office of Planning, nor any other party or person.

Pursuant to 11 DCMR 2406.10 of the Zoning Regulations, the Commission may extend the validity of the PUD approval for good cause shown upon a request made before the expiration of the approval.

On July 8, 1991, at its regularly monthly meeting, the Zoning Commission considered the request of Lynx and determined that an extension of time, as requested by the applicant, is in the best interest of the District of Columbia, is consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and is not inconsistent with the Comprehensive Plan for the National Capital.

In consideration of the reasons set forth herein, the Zoning Commission for the District of Columbia hereby orders that the validity of Z.C. Orders No. 556 and 556-A be **EXTENDED** for a period of two years; that is, until October 6, 1993, prior to the expiration of that time the applicant shall file for a building permit, as specified in 11 DCMR 2406.8. Construction shall start within five years of the effective date of Z.C. Order No. 556-A; that is, not later than October 6, 1994.

Vote of the Zoning Commission taken at the monthly meeting on July 8, 1991: 4-0 (William Ensign, John G. Parsons, Maybelle Taylor Bennett, and Lloyd D. Smith, to extend for two years - Tersh Boasberg abstained).

This order was adopted at the public meeting on August 5, 1991, by a vote of 5-0: (John G. Parsons, Lloyd D. Smith, Maybelle Taylor Bennett, William L. Ensign and Tersh Boasberg to approve).

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In accordance with 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register; that is, on AUG 16 1991.

  
MAYBELLE TAYLOR BENNETT  
Chairperson  
Zoning Commission

  
EDWARD L. CURRY  
Executive Director  
Zoning Secretariat

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