

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 594-D

Case No. 88-6C

(PUD @ 1111 20th Street, N.W.)

March 11, 1996

By Z.C. Order No. 594, dated November 14, 1988, the Zoning Commission for the District of Columbia approved the application of the Vanguard Associates for a consolidated planned unit development (PUD), on Lot 866, Square 17, located at 1111 20th Street, N.W.

The PUD approval was for the renovation and expansion of an existing office/retail structure known as the Vanguard Building.

Z.C. Order No. 594 approved the PUD project, subject to certain guidelines, conditions, and standards. One of the conditions of approval states that:

"The Planned Unit Development approved by the Zoning Commission shall be valid for a period of 2 years from the effective date of this order. Within that time, application must be filed for the building permit, as specified in 11 DCMR 2407.2 and 2407.3. Construction shall start within 3 years of the effective date of this order."

Z.C. Order No. 594 became final and effective on December 23, 1988. The validity of that order was for two years; that was, until December 23, 1990.

11 DCMR 2406.10 allows for the Zoning Commission to extend the validity of a PUD "for good cause shown," upon the request of the applicant being made prior to the expiration of the PUD.

By Z.C. Order No. 594-A, dated April 16, 1990, the Commission granted a one-year extension of the validity of Z.C. Order No. 594; that was, until December 23, 1991.

By Z.C. Order No. 594-B, dated January 13, 1992, the Commission further extended the validity of Z.C. Order Nos. 594 and 594-A for a period of two years; that was, until December 23, 1993.

By Z.C. Order No. 594-C, dated April 11, 1994, the Commission granted a two-year extension of the validity of Z.C. Order Nos. 594, 594-A, 594-B and 594-C; that was, until December 23, 1995.

Z.C. ORDER NO. 594-D
CASE NO. 88-6C
PAGE NO. 2

By letter dated December 12, 1995, counsel for the applicant requested a two-year extension of Z.C. Order Nos. 594, 594-A, 594-B and 594-C. The letter stated the following reasons as the basis for the extension request:

"The applicant requests an extension of time to file for the required building permit and begin construction of the project because of the poor market conditions and the difficulty in finding financing for the project. From other requests for extension of PUDs, the Commission is well aware of the difficulties facing project developers in meeting deadlines imposed on PUDs originally approved in the mid to late 1980's. As noted in the previous request for extension and in the attached affidavit from Richard Cohen, the applicant has diligently pursued both tenants and financing, and continues to do so."

By memorandum dated December 29, 1995, the District of Columbia Office of Zoning (OZ) referred this matter 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 for the National Capital, since the Zoning Commission initially decided the case will affect this request.

By memorandum dated February 8, 1996, OP recommended that the applicant's request be granted and stated that no purpose would be served in this instance by denying the request. OP indicated the following:

"The Generalized Land Use Map of the Comprehensive Plan identifies this PUD site as appropriate for high density commercial uses. This land use designation has remained unchanged since the PUD was originally opposed. The site's C-3-C zoning has also remained unchanged. In 1991, the Downtown Receiving area designation mentioned above was applied to the site, and as noted, allows higher height and FAR limits than otherwise permitted in the C-3-C District."

The Zoning Commission received no comments on this matter from ANC-2B or any other party.

On February 12, 1996 at its regular monthly meeting, the Zoning Commission considered the request from counsel for the applicant, and the OP report. The Commission determined that an extension of time, as requested by the applicant, is reasonable and would not adversely affect any party.

Z.C. ORDER NO. 594-D
CASE NO. 88-6C
PAGE NO. 3

The Commission believes that its proposed action to grant the request is in the best interest of the District of Columbia, and is consistent with the intent and purpose of the Zoning Regulations and the Zoning Act.

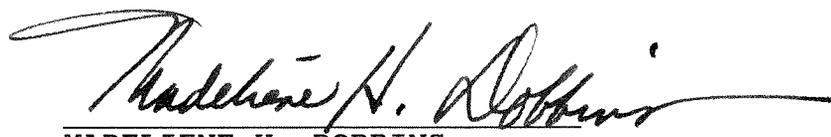
In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia **ORDERS APPROVAL** of the validity of Z.C. Order Nos. 594, 594-A, 594-B and 594-C for two years; that is, until December 23, 1997. Prior to the expiration of that time, the applicant shall file an application for a building permit, as specified in 11 DCMR 2406.8. Construction shall start not later than December 23, 1998.

Vote of the Zoning Commission taken at the monthly meeting on February 12, 1996: 4-0 (Maybelle Taylor Bennett, John G. Parsons, Herbert Franklin and Jerrily R. Kress, to extend).

This order was adopted by the Zoning Commission at the public meeting on March 11, 1996 by a vote of 3-0: (John G. Parsons and Jerrily R. Kress to adopt; Maybelle Taylor Bennett, to adopt by absentee vote; Herbert M. Franklin not voting, not having participated in the case; Howard Croft not voting, not present).

In accordance with 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register; that is, on ~~MAR 29 1996~~.


JERRILY R. KRESS
Chairperson
Zoning Commission


MADELIENE H. DOBBINS
Director
Office of Zoning

ZCO594-D/SDB/LJP