

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 700-A  
Case No. 90-20F/87-4P  
(PUD & Map Amendment @ Capitol Point)  
March 9, 1992

By Z.C. Order No. 700 dated February 10, 1992, the Zoning Commission for the District of Columbia granted second-stage (final) approval to a planned unit development (PUD) and related change of zoning from W-1 and W-3 to CR for Lot 801 in Square 602 located adjacent to the east boundary of Fort McNair at 2nd and R Streets S.W.

The final PUD approval is for the construction of a mixed-use development, including office and residential uses, to a maximum height of 110 feet, a maximum floor area ratio (FAR) of 5.3, a maximum lot occupancy of seventy-five percent (75%), underground parking to accommodate 2,150 cars, and 500 apartment units.

Pursuant to 11 DCMR 3028, Z.C. Order No. 700 became final and effective on February 28, 1992, and pursuant to 11 DCMR 3029.5 parties in a proceeding may file a motion for reconsideration within ten (10) days of the order becoming final.

By memorandum dated February 28, 1992, the Secretary to the Zoning Commission requested the Commission to waive all applicable rules of practice and procedure, and authorize the Office of Zoning (OZ) to administratively correct Z.C. Order No. 700. The memorandum stated the following:

"It is the belief of the Office of Zoning (OZ) that the Commission did not intend to delete that portion of proposed Condition No. 13 that establishes a time frame for the delivery of all of the residential units; namely, "12 years". The inclusion of the "12 years" in the order establishes a point of reference beyond which the applicant would be in violation of the order, if all of the residential units have not been delivered; unless the Commission has granted an extension of the deadline for completion of the development schedule."

Copies of the aforementioned memorandum were hand-served on the parties to the proceeding on February 28, 1992. Advisory Neighborhood Commission-2D and the Buzzard Point Planning Association did not comment. By letter dated March 6, 1992, counsel for the applicant urged the Commission to adopt the recommendation of the Secretary to the Commission.

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On March 9, 1992 at its regular monthly meeting, the Zoning Commission considered the Secretary's memorandum and the letter from applicant's counsel. The Commission concurred with the recommendation of the Secretary and voted to correct Z.C. Order No. 700.

The Zoning Commission believes that its decision to correct Z.C. Order No. 700 accurately reflects its intent, is in the best interest of the District of Columbia, and is consistent with the intent and purpose of the Zoning Regulations and Zoning Act.

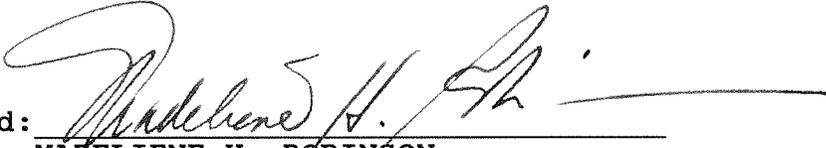
For the reasons set forth herein, the Zoning Commission for the District of Columbia hereby authorizes the Office of Zoning to administratively correct Z.C. Order No. 700 to include the following guideline, condition and standard:

12(f) The applicant shall complete the above development schedule in not more than twelve (12) years of the effective date of this order.

Vote of the Zoning Commission taken at the public meeting on March 9, 1992: 3-1 (Maybelle Taylor Bennett and Lloyd D. Smith, to approve and John G. Parsons, to approve for administrative purposes - Tersh Boasberg, opposed and William L. Ensign, not present not voting).

In accordance with the 11 DCMR 3028, this order is final and effective upon publication in the D.C. Register, that is, on  
MAR 27 1992.

Attested:

  
MADELIENE H. ROBINSON  
Acting Director  
Office of Zoning

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