

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 829-A
Case No. 99-7MM/97-3C
(Minor Modifications to a Consolidated PUD at
828 Bellevue Street, S. E. - "Walter Washington Estates")
September 30, 1999

FINDINGS OF FACT

1. On September 20, 1999, the applicant requested approval of minor modifications to a previously approved Planned Unit Development (PUD) for property located at 828 Bellevue Street, S. E. (Lot 25 in Square 6159). The modifications were requested pursuant to the Consent Calendar provisions of 11 DCMR 3030.
2. The subject property is currently being developed with a gated, 141-townhouse community and community center in accordance with Z.C.Order No. 829.
3. The requested modifications involve Phase II of the project which has not yet been built. Phase I, consisting of 94 units, is completed and almost completely sold. When marketing these units, the developer encountered strong market resistance to those Phase I units which had small rear yards devoted almost entirely to driveway areas leading to the unit garages.
4. The purpose of the modifications is to redesign the Phase II units of similar design so as to create larger, greener rear yards for these units.
5. The requested modifications entail relocating 15 of the approved townhouses within five feet of their originally approved locations and flipping 24 townhouses so that the fronts of these townhouses are now the rear and vice-versa. Minor redesign of the front and rear facades is also proposed so that both elevations feature a combination of siding and brick materials, where previously the rear elevations featured siding only.
6. The Commission finds that the requested modifications are minor in nature as required by §3030.2. In fact, the requested modification to relocate 15 of the townhouses within five feet of their approved locations may be approved as a matter-of-right by the Zoning Administrator, pursuant to §2409.6 (d).

7. The proposed modifications will enable the applicant to offer more townhouses with larger, greener rear yards in keeping with market demand. The proposed flipping of the units will result in higher quality townhouse facades.
8. By memorandum dated September 24, 1999, the Office of Zoning (OZ) reported to the Zoning Commission that the proposed modifications meet the requirement of §3030.
9. Advisory Neighborhood Commission (ANC) 8E, a party in the case, was notified on the requested modification.
10. On September 30, 1999, at a special meeting, the Zoning Commission reviewed the modifications and took proposed and final action to approve them.

CONCLUSIONS OF LAW

1. The Zoning Commission finds that the proposed minor modifications are appropriate and not inconsistent with the intent of 11 DCMR 3030.
2. The Zoning Commission further believes that its decision is in the best interests of the District of Columbia and is consistent with the intent and purpose of the Zoning Regulations and the Zoning Act.
3. The approval of the minor modifications are not inconsistent with the Comprehensive Plan for the National Capital.

DECISION

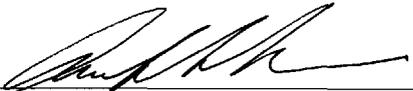
In consideration of the reasons set forth in this order, the Zoning Commission for the District of Columbia hereby orders **APPROVAL** of minor modifications to a previously approved PUD for 828 Bellvue Street, S. E. subject to the following condition:

1. The PUD modifications approved herein shall be in accordance with the plans prepared by Navy Marshall Associates identified in the record as Exhibit 2.

Vote of the Zoning Commission taken at its public meeting on September 30, 1999:

This order was adopted by the Zoning Commission at its public meeting on September 30, 1999 by a vote of 4-0: (Hood, Parsons, Clarens, and Franklin to ADOPT).

In accordance with the provisions of 11 DCMR 3028.8, this order shall become final and effective upon publication in the D. C. Register; that is, on OCT 8 1999.



ANGEL F. CLARENS
Chairperson
Zoning Commission



Jerrily R. Kress, FAIA
Director
Office of Zoning