

**Government of the District of Columbia**

**ZONING COMMISSION**



**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF FINAL RULEMAKING**

**and**

**ORDER NO. 938**

**Z.C. CASE NO. 00-20TA**

**(Text Amendment – 11 DCMR)**

**(Downtown Development Overlay District – Addition to Housing Priority Area C)**

**March 12, 2001**

The Zoning Commission for the District of Columbia, pursuant to its authority under section 1 the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797, as amended; D.C. Code § 5-413) hereby gives notice of the adoption of amendment to Chapter 17 (Downtown Development Overlay District) of the Zoning Regulations, Title 11 DCMR. The amendment will add lots 36, 37, 42, and 806 in Square 377 to the list of properties which are included in Housing Priority Area C, which is a subarea of the Downtown Development Overlay District.

The purpose of the amendment is to facilitate the development of an apartment building on the subject lots. The amendment would permit development on the subject lots to be linked, under the combined lot development provisions of the Downtown Development Overlay District, with other property(ies) included in Housing Priority Area C. The amendment would promote the development of much needed additional housing in the Downtown by imposing a housing requirement on the subject lots as well as providing an opportunity for combined lot development.

The following rulemaking action is proposed:

The Commission held a public hearing in this case on January 25, 2001. The Commission took proposed action pursuant to 11 DCMR § 3027.2 at the completion of the hearing on January 25, 2001, to approve the proposed amendments. A Notice of Proposed Rulemaking was published in the *D.C. Register* on February 9, 2001, at 48 DCR 1205, for a 30-day notice and comment period. The Office of the Corporation Counsel determined that the rulemaking meets its standards of legal sufficiency.

No comments or reports were received on the proposed rulemaking.

The application was referred to the National Capital Planning Commission under the terms of the District of Columbia Self-Government and Governmental Reorganization Act. The NCPC, by report dated March 1, 2001, found that the proposed map

amendment would neither adversely affect the Federal interest in the National Capital nor be inconsistent with the Comprehensive Plan.

The Commission took final action at its regular monthly meeting on March 12, 2001. The Commission finds that the proposed rulemaking is in the best interest of the District of Columbia, consistent with the intent and purpose of the Zoning Regulations and Zoning Act, and not inconsistent with the Comprehensive Plan for the National Capital.

This final rulemaking is effective upon publication in the *D.C. Register*.

In consideration of the reasons set forth herein, the Zoning Commission hereby orders **APPROVAL** of the following amendments to the Zoning Regulations, Title 11 DCMR

Chapter 17, Downtown Development Overlay District, is amended as follows:

section 1706, Residential and Mixed Use Development, is amended to read:

1706.8(c)

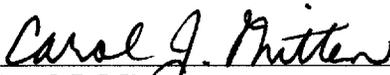
Housing Priority Area C, the Downtown Core Area, comprises the DD/C-4 zoned properties located south of H Street, including squares and parts of squares numbered **377 (Lots 36, 37, 42, and 806)**, 406, 407, 408, 431, 432, 454, 455, 456, 457, 458, 459, 460, and 491.

[Note: new language is indicated in bold print and underlined]

Vote of the Zoning Commission taken after the public hearing of January 25, 2001 to **APPROVE** the proposed rulemaking by a vote of **5-0-0** (Herbert M. Franklin, Kwasi Holman, John G. Parsons, Carol J. Mitten, and Anthony J. Hood to approve).

The Zoning Commission at its public meeting on March 12, 2001, **ADOPTED** this final rulemaking and order by a vote of **4-0-1** (Herbert M. Franklin, Anthony J. Hood, Carol J. Mitten and John G. Parsons to **ADOPT**; Kwasi Holman not present, not voting).

In accordance with the provision of 11 DCMR § 3028.9, this order shall become effective upon publication in the *D.C. Register*; that is, on MAR 23 2001

  
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Carol J. Mitten  
CHAIRMAN  
Zoning Commission

  
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JERRILY R. KRESS, FAIA  
DIRECTOR  
Office of Zoning