

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Zoning Commission



MEMORANDUM

**TO** Zoning Commission Members  
**FROM** Jerrily R Kress, FAIA, Director  
Office of Zoning  
**DATE** June 9, 2008  
**SUBJECT** Z C Case No 05 38A (Request For Minor Modification of a PUD)

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The applicant Marina View Trustee LLC has filed with the Zoning Commission a Request for a Consent Calendar Modification to the Planned Unit Development approved in Z C Order No 05 38 dated October 26 2007 This submission sets forth the request and outlines the nature and rationale for the consent calendar request

Below in summary fashion are the written comments and recommendations to the Zoning Commission pursuant to § 3030, **Consent Calendar**

*3030.2 For purposes of this section "minor modifications" shall mean modifications of little or no importance or consequence*

The request is for a modification to the previously approved PUD in Zoning Commission Order No 05 38 The applicant requests that the Commission approve the following refinements to some of the facades and roof structures removal of the for sale component relocation of a pool from inside the Amenities Building to the outside modification to the community amenities package and an increase in the number of residential units from 570 to 580 The requested modification does not affect the essential elements of the approval given by the Zoning Commission for this project such as use height gross floor area lot occupancy setbacks or number of parking spaces The request is also consistent with the approved elements of the amenity package

*3030.4 The request shall be in writing state the nature of and reasons and grounds for the minor modification or technical correction and include a copy of any Commission final order map plan rulemaking or other action or relief proposed to be modified or corrected*

Applicant's submission complies

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*3030 6 All written requests shall be served by the moving party on all parties in the original proceeding at the same time that the request is served on the Director*

Applicant s submission complies

*3030 7 The Director shall in the Director s sole discretion determine the appropriate form of public notice and any additional service taking into account the nature of the request and any issues relating to efficiency and fairness*

It has been determined that no further notice is required

*3030 8 Within seven (7) days after a request to put a matter on the Consent Calendar has been filed and served any other party may file a response in opposition to or in support of the request The responding party shall serve all other parties at the time that the response is filed with the Office of Zoning*

As of this writing no response has been received

*3030 9 The Director shall provide written comments and recommendations to the Commission on each request for placement of a matter on the Consent Calendar*

It is recommended that this request be placed on the Commission s consent calendar

*3030 10 In reviewing requests for placement of a matter on the Consent Calendar the Director may request advice from other District agencies including the Office of the Attorney General*

It has been determined that there is no advice necessary from other District agencies

*3030 11 Based upon the written request for placement of a matter on the Consent Calendar all supporting and opposing submissions and the reports of other District of Columbia agencies the Director shall determine which matters shall be placed on the Consent Calendar for consideration and action by the Commission without public hearing at its monthly meeting*

It has been determined that it is appropriate to place this matter on the consent calendar for consideration and action by the Zoning Commission without public hearing at its July 14 2008 public meeting

*3030 12 Any member of the Commission may remove any item from the Consent Calendar for any reason Any matter that is not placed on the Consent Calendar or that is removed from the Consent Calendar shall be acted upon by the Commission according to the applicable procedures contained in other sections of this chapter*

To be determined by the Commission

*3030 13 All relief granted by the Commission under this section shall be consistent with the intent of the Commission in approving its original order map plan rulemaking or other action*

*or relief proposed to be modified or corrected and shall not substantially impair the intent purpose or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map*

It is recommended that the requested modification be granted as it is consistent with the intent of the Commission in approving its original Order No 05 38 and does not substantially impair the intent purpose or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map