

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Zoning Commission



MEMORANDUM

TO Zoning Commission Members

FROM Jamison L. Weinbaum, Esq., Director 
Office of Zoning

DATE October 19, 2009

SUBJECT Z C Case No 06-08B (Request For Minor Modification)

The Applicant Ft Lincoln/Gateway Village LLC has filed with the Zoning Commission a Request for a Consent Calendar Modification to the Planned Unit Development approved in Z C Order Nos 06 08 and 06 08A with effective dates of November 23 2007 and May 16 2008 respectively 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 Nos 06 08 and 06 08A The Applicant requests that the Commission approve the following 1) a reduction in total number of units from 357 to 334 (including a reduction of two over two units by 62 and an increase in townhouses by 39) 2) minor variations in unit dimensions (see Exhibit 1 Tab 'B') 3) a return to the original PUD design scheme of having consistent townhouse widths in each string of townhouses 4) an increase in lot occupancy (from 47.31% to 54.26%) decrease in green space (from 40% to 39.5%) and increase in gross floor area (820,575 square feet to 831,425 square) from the modified PUD (Note the new proposed density and lot occupancy are less than what was originally approved and the green space is greater than what was originally approved) and 5) flexibility to develop the project in three phases

The requested modification does not affect the essential elements of the approval given by the Zoning Commission for this project such as use height occupancy,

setbacks or number of parking spaces and only slightly affects gross floor area and lot occupancy. 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.

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 November 9, 2009 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 Nos 06-08 and 06 08A and does not substantially impair the intent purpose or integrity of the zone plan as embodied in the Zoning Regulations and Zoning Map